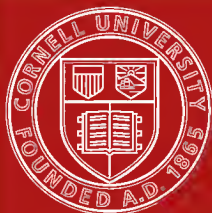




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YE
KINGDOME OF ACCAWMACKE
OR THE
EASTERN SHORE OF VIRGINIA
IN THE
SEVENTEENTH CENTURY

BY
JENNINGS CROPPER WISE

MEMBER
VIRGINIA HISTORICAL SOCIETY

THE BELL BOOK AND STATIONERY CO.
RICHMOND, VIRGINIA
1911



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DEDICATED TO THE MEMORY OF
MY GRANDFATHER
HENRY ALEXANDER WISE
OF
VIRGINIA AND ACCOMACK,

WHOSE CHARACTER AND CAREER FIND EXPRESSION IN HIS
FAMOUS REMARK:

"I have met the Black Knight with his
visor down, and his shield and
lance are broken."

PREFACE

The author of this volume, which purports to be a History of the Eastern Shore of Virginia in the Seventeenth Century, submits the completed work to the public. He can only say that he has not failed where others have succeeded, for the little peninsula has had no former historian. The task was undertaken in the hope that the very deficiencies in his own narrative might urge a more competent pen to action and inspire a better history of this long-neglected region of the Old Dominion. If this volume accomplish no other result than to impress a more able writer with the valuable material for such a work, if it call attention to events of all-absorbing interest as yet inadequately described, and bring to light from among the musty archives of Accomac and Northampton but a few facts bearing upon the history of our State, then will the author rest content in the feeling that while he has not succeeded as a historian, yet he has induced a more accurate portraiture of a country and a people.

It is an astonishing fact that such historic documents as the Pledge to the Commonwealth, The Northampton Protest, The Northampton Grievances, Bacon's Appeal to Accomac, and the Accomac Memorial, addressed to Berkeley after the Rebellion of 1676, should all have been utterly neglected by the historians of Virginia, for these documents are not simply matters of local interest, but have a direct bearing upon the general history of the State. Indeed, the texts of these instruments have never before been collected in a single volume. Yet, the disregard of such significant matters in our State annals is no more unaccountable than the absence from the histories of any mention of the remark-

able industrial and trade development of the Eastern Shore prior to the middle of the Seventeenth Century; of the flourishing mercantile intercourse between that region and New England, New Netherlands, Holland, England and the West Indies; of the powerful colony of Dutch, German and New England citizens upon the soil of Virginia in its earliest days, and of the fact that the King's forces were equipped, provisioned and paid with money loaned to the King by the loyal gentry of Accomac and Northampton in 1676. The author does not demand that matters of purely local import should fill the pages of a general State history. He does maintain, however, that no work can justly claim to be an accurate and complete history of Early Virginia which disregards such fundamental facts as those above mentioned.

In the writing of this brief sketch, the temptation was ever present to dwell upon the genealogy of the people, to intrude facts of family history and tradition into its pages, but the author has succumbed only where it seemed necessary to illumine historical facts by reference to family connections, reserving a full genealogical history of the people for a subsequent work, which will also deal with the period from 1700 through the War of 1861-65.

To Eastern Shoremen, the death of Mr. Thomas T. Upshur, of Northampton, in January, 1910, was a sad loss, for had he lived to weave into the form of a history the vast knowledge of his people which he had acquired by a long life of research among their records, no need of this work would have existed.

The author desires to express the deepest indebtedness to Mr. Griffin C. Callahan, of Philadelphia, who, though he had for years been collecting historical data concerning the Eastern Shore, unselfishly placed the fruits of his research

at another's disposal; to Mr. Philip Alexander Bruce, the greatest of Virginia's historians, who, besides offering many valuable suggestions, performed the laborious task of reading and correcting the manuscript; to Mr. Wm. G. Stanard of the Virginia Historical Society, and Mr. Earl G. Swem, Assistant Librarian of the Virginia State Library, both of whom materially assisted the author in the collection of authorities and rendered research in their libraries both pleasant and simple; and lastly, to Mr. John Hart, of Richmond, who has been an ever appreciated adviser in many phases of this work.

It is almost unnecessary to add that the wealth of historical matter, brought together by the tireless energy of Mr. Bruce, and placed at the disposal of the student in his "Immortal Trilogy," has been lavishly drawn upon. Indeed, no writer of Virginia history may hope to succeed without trespassing upon those priceless pages.

At the great risk of unduly cumbering this book in the eyes of the casual reader, the text of many statutes and abstracts of old records have been set forth verbatim, in order that the student may have the authorities at hand. The spelling of various Indian names throughout the work has been purposely varied in order to illustrate the unsettled orthography of native nomenclature. The name selected for this first volume of Eastern Shore History involves the title applied to the little peninsula by the Sovereigns of the Seventeenth Century, who frequently addressed their decrees to "Ye Colony of Virginia and Ye Kingdome of Accawmacke."

And now the author, at the completion of his Preface, rests his pen, inviting criticism, but with the conceit of human nature, hopeful that with censure may come some meed of praise.

JENNINGS CROPPER WISE.

Richmond, Va., March 1, 1910.

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I

VERRAZANO DISCOVERS THE EASTERN SHORE. THE MASSACRE OF GILBERT

Between latitude 37° and $39\frac{1}{2}^{\circ}$ north and running almost due north and south at about 76° west longitude, is a peninsula formed by the Chesapeake Bay, Atlantic Ocean and Delaware Bay, which embraces the greater part of the State of Delaware, about one third of Maryland, and two counties of Virginia. That portion at present included within the limits of Virginia is about seventy miles in length, extending from the Pocomoke River, near where it is intersected by the thirty-eighth parallel of north latitude, to Cape Charles, and having a mean breadth of about eight miles. It is a flat and sandy tract, largely covered with pines and swept by breezes of the Atlantic and Chesapeake, whose waters lave it on either side. The monotony of the country, due to the absence of mountains, hills or broken surface, is relieved by the picturesque bays and creeks which make up into the mainland at frequent intervals along its coasts.

The Indians gave this isolated peninsula the name of "Acchawmake," or Accomac,¹ which in our tongue signifies "land beyond the water," a meaning that has reference to the location of the peninsula, separated as it is from the mainland of Virginia by the Chesapeake Bay.

¹Spelt variously, Accomack, Accomacke, Accawmake, Acchawmacke, Accomac, Achomat. (Algonquin for "a broad bay" or "the other side-land.") Chesapeake—a superior or greater salt bay. Pocomoke—"Knobby."

The two counties, which together make up this peninsula, known as the Eastern Shore of Virginia, are Accomac and Northampton, the latter lying to the south of and being a little more than half as large as the former. Together they formerly comprised that section of Virginia known to the first English Colonists as "Ye Antient Kingdome of Accawmake."

On account of the physical character of our little peninsula, the English Sovereigns of the Seventeenth Century are said to have called it by the peculiarly appropriate name of "Chersonesus Orientalis," for it resembles not only in physical features, but in fertility of soil, the famous peninsula of the Thracian Hellespont.

Not only during the period embraced in these pages, but down to a comparatively recent date, in spite of the salubrity of its climate, the astonishing fertility of its soil, the fame of its scholars, soldiers and statesmen, the Eastern Shore remained a *terra incognita*, a dim and shadowy land somewhere towards the rising sun. The denizens of this remote Kingdom were supposed to be a primitive race of fishermen and oystermen, grown drowsy through years of basking in the tempered rays of the sun or, like the land itself, overcome by the *ennui* of a perpetual sea bath. But no man can feel the vigorous pulse of its history, without realizing that the best blood of the "Old Dominion" coursed in undiluted form through the veins of the Accawmackians.

When Captain Smith wrote that "Heaven and earth seemed never to have agreed better to have framed a place for man's commodious and delightful habitation," his mind no doubt dwelt in sweet meditation upon the little Kingdom which he described as a place of pleasant clayey soil and for which he ever evinced a tender affection.

The soil of the peninsula, which is of post-tertiary formation, is a portion of that great alluvial marine plain, which extends from Martha's Vineyard in Massachusetts along the Atlantic coast as far as the Gulf of Mexico. It consists of a rich sandy loam that yields with great facility to cultivation. Densely wooded by nature, innumerable clearings had been made by the natives, along the margin of creek and marsh, when the first white men took up their abode there. Luxuriant fields of Indian corn and tobacco filled the clearings and rustled in the breezes from the sea and bay, and owing to the mildness of the climate and the consequent length of the growing season, the earth, even with the primitive methods of native husbandry, was able to produce two crops in a single year.

From Pocomoke to the Cape, the land was as level as the sea which refreshed it with her cooling breath, nor did stone or rocks of any kind oppose the plowshare of the planter. The sombre forest mingled the pungent odor of pine with the delicate scent of wild flowers, woven by nature into a variegated carpet on the ground beneath. Innumerable springs trickled from the earth, their cool water forced up by the pressure of the tide; the waves which washed the shores paused not at their watery limits but swept on from a sea of blue through the boundless meadows of the marge.

The discovery of the Eastern Shore of Virginia was the result of a long search for a northwestern passage to Cathay. Early in the sixteenth century there was in the employ of Francis the First, King of France, a soldier or sailor of fortune, named Giovanni de Verrazano, whom the Frenchmen of Dieppe called Jean Verrassen, or Juan Florin. Verrazano was born about 1480, in Florence, of distinguished parents. Fired by the tales of adventure and discovery which filled men's minds at the time, he perfected himself

in the sciences of navigation and geography, and became a skilful pilot and a learned navigator. (He soon entered the service of France, and with headquarters at Dieppe, successfully preyed upon the commerce of Spain, winning royal favor by capturing much gold and other treasure.

Columbus had labored under the mistaken belief that the shores on which he had landed were the shores of Asia, and his last voyage was made in quest of the Strait of Malacca, which he believed to be near the Isthmus of Panama. Other voyages, however, following close thereafter, disclosed an unbroken coast line from Patagonia to Florida, and the fact that the land of Columbus was a new world had begun to dawn upon navigators and geographers by 1521. They saw in it a barrier between Europe and Asia, and the return of Magellan's exhausted expedition in 1522 satisfied them of the impracticability of the Cape Horn route to the East.

(Verrazano having been commissioned by the French King to explore the coast of the New World in search of a north-western passage, in the autumn of 1523 set sail from Dieppe with two ships.) After several mishaps, one of which caused the loss of a vessel, he sighted the coast of North Carolina on March 10, 1524, and named the country "Dieppe," an Italianized form of Dieppe. After making a landing a little north of Cape Fear, he proceeded northward, ever in search of an easy route to Cathay, and in some unaccountable way passed the Virginia Capes. When Verrazano next landed, it was upon the Eastern Shore of Virginia, about ten miles north of Cape Charles, and he no doubt has the honor of being the first white man to set foot upon that soil, unless preceded by the Vikings, or by the Welchmen of Prince Madoc's Band, who are said to have infested the neighboring shores in the dim ages of the past.

During the three days which Verrazano spent on the Eastern Shore, he penetrated inland from the sea coast and viewed the majestic waters of Chesapeake Bay. This first sight of what appeared to be an almost boundless body of water led to a world-wide error, requiring three generations for its correction; for confident that he had seen the western sea, Verrazano returned to his ship, *La Dauphine*, and coasting northward, entered the Hudson and the Penobscot in quest of the much-desired passage. Disappointed in his search, but with experience, and just enough knowledge to mislead the geographers, he returned to Europe and with his brother Hieronimo or Giralamo de Verrazano, in 1529, based upon his discoveries a map which exercised great influence upon subsequent navigation and exploration. This map and the one of Vesconte Maggiolo, drafted about the same time, depicted Florida as connected with Mexico and also with Labrador by a long, narrow isthmus. Between Mexico and the continental mass to the north, through which the Hudson and Penobscot were supposed to flow, was represented an immense sea, a reach of the Pacific; and at the point where Verrazano landed on the Eastern Shore, a notation informs us that here the isthmus is but six miles wide. This sea of Verrazano, spreading over what is really the western and central portion of the United States, was regarded as a reality for years, and continued to be represented on maps until the middle of the sixteenth century, when de Soto and Coronado proved the existence of land from Florida to California; but even then land was supposed to continue only to the 40th parallel.¹

¹For reduced copy of the map of Hieronimo de Verrazano see Windsor, *Narr. and Crit. History*, Vol. IV, p. 26. The original is in the college of the Propaganda at Rome.

It has been questioned whether Verrazano ever made such a voyage as he claimed to have made in 1524,¹ and the student of history must study the authorities and satisfy himself as to the soundness of the claims.² It will be hard, however, to shake the faith of Eastern Shoremen in Verrazano's veracity after they peruse the following extract taken from his letter to Francis the First:

"Departing hence, and always following the shore, which stretched to the north, we came, in space of fifty leagues, to another land, which appeared very beautiful and full of the largest forests. We approached it, and going ashore with twenty men, we went back from the coast about two leagues, and found that the people had fled and hid themselves in the woods for fear. (By searching around we discovered in the grass a very old woman and a young girl of about eighteen or twenty, who had concealed themselves for the same reason. The old woman carried two infants on her shoulders, and behind her neck a little boy eight years of age; when we came up to them they began to shriek and make signs to the men who had fled to the woods.) We gave them a part of our provisions, which they accepted with delight, but the girl would not touch any; everything we offered to her being thrown down in great anger. We took the little boy away from the old woman to carry with us to France, and would have taken the girl also, who was very beautiful and very tall, but it was impossible because of the loud shrieks she uttered as we attempted to lead her away; having to pass some woods, and being far from the ship, we determined to leave her and take the boy only. (We found them fairer than the others, and wearing a covering made of certain

¹"The Voyage of Verrazano. Murphy, N. Y., 1875.

²For authorities concerning Verrazano, collected by Mr. Fiske, see as follows:

"Verrazano the Navigator," Brevoort, N. Y., 1874.

Asher's Henry Hudson, London, 1860, pp. 197-228.

Kohl's "Discovery of Maine," Chap. VIII.

De Costa, Verrazano the Explorer, N. Y., 1881, with full biographical note.

Winsor, Narr. and Crit. History, Vol. IV, 1-30.

plants, which hung down from the branches of the trees,
tying them together with threads of wild hemp; their heads
are without covering, and of the same shape as the others.)
Their food is a kind of pulse which there abounds different in
color and size from ours, and of a very delicious flavor.
(Besides, they take birds and fish for food, using snares and
bows made of hard wood, with reeds for arrows, in the end
of which they put the bones of fish and other animals.) The
animals in these regions are wilder than in Europe, from
being continually molested by the hunters. (We saw many
of their boats made of one tree twenty feet long, four feet
broad, without the aid of stone or iron or other kind of
metal.) In the whole country, for the space of two hundred
leagues, which we visited, we saw no stone of any sort. (To
hollow out their boats, they burn out as much of a log as is
requisite, and also from the prow and stern to make them
float well on the sea.) The land, in situation, fertility and
beauty, is like the other, abounding also in forests filled
with various kinds of trees, but not of such fragrance, as it
is more northern and colder.

(“We saw in this country many vines growing naturally,
which entwine about the trees, and run up upon them as
they do in the plains of Lombardy. These vines would
doubtless produce excellent wine if they were properly cul-
tivated and attended to, as we have often seen the grapes
which they produce very sweet and pleasant, and not unlike
our own.”) They must be held in estimation by them, as they
carefully remove the shrubbery from around them, wherever
they grow, to allow the fruit to ripen better.) We found also
wild roses, violets, lilies, and many sorts of plants and fra-
grant flowers different from our own. We can not describe
their habitations as they are in the interior of the country,
but from various indications we conclude they must be
formed of trees and shrubs. We also saw many grounds for
conjecturing that they often sleep in the open air, without
any covering but the sky. Of their other customs we know
nothing; we believe, however, that all the people we were
among live in the same way.”¹

¹Early voyages to America. By Conway Robinson, p. 307.

It is a strange fact that of the host of navigators who eagerly sought for a northwestern passage to the East, as a result of Magellan's voyage, two of the first landed upon Virginian soil, and are, as far as known, the first white men to visit Virginia.

About the time Verrazano was cruising along the Atlantic Coast (in 1524), Lucas Vasquez d'Ayllon entered the Capes of Virginia in search of the passage. Attracted by the equable climate and the fertility of the soil, and failing to find the route to Cathay, d'Ayllon secured from his King, Charles V, a grant of the new-found land, and in 1526 built the town of San Miguel on the banks of the James River, near where Jamestown was founded eighty-one years later.

The attempt of the Spaniards to found a permanent settlement in Virginia proved abortive. Internal strife and disease wiped out San Miguel, and the few survivors of what might be called an expedition, sailed away from Virginia's shores in search of other adventure, leaving the task of the colonization of the country to the hardy and enterprising sons of Britain.

One event in the history of San Miguel was ominous of the future. The first white inhabitants of Virginia suffered sorely, as a result of the insurrection of negro slaves whom they brought with them. Ninety-three years before the Dutch deposited their unfortunate cargo of negroes at Jamestown, slavery had existed on Virginia soil, destroying the happiness of the first white occupants of the land, imperiling their safety, and ultimately leading to the destruction of their colony. The Dutch, however, are in no wise exonerated for having imposed the awful burden of the negro upon the English Colonists of Virginia, by the mere statement of this fact, a fact too often ignored by the historians.

Whether d'Ayllon set foot upon Virginia soil before Verrazano landed on the Eastern Shore is not known, nor is it

known whether d'Ayllon or any of his colonists visited the "Land across the water." It is hardly possible, however, that Spanish ships passed in and out between the capes without investigating the region to the north, as John Smith did in 1608, especially when we consider the inquisitive nature of the early Spaniards, and their practical seamanship and methods of exploration. Surely d'Ayllon in search of the northwest passage would never have sailed about the northern reaches of Chesapeake Bay without landing to obtain water or to investigate the natives, great numbers of whom usually lined the beaches to welcome strange visitors to their shores. Be that as it may, history records nothing in connection with the Eastern Shore of Virginia until 1603.

The traditions handed down to their sons and grandsons by the Accawmacke Indians, who welcomed Verrazano to their shores in 1524, could not have been very pleasant ones. Perhaps some of that explorer's men had treated the natives roughly or in some manner imposed upon them; or perhaps other white men, of whom we have no knowledge, had landed upon the peninsula and aroused the enmity of the natives. Whatever the cause may have been, when the next white men of whom we know, after Verrazano, landed on the shores of Accawmacke, they were not received in a friendly or hospitable way.

Bartholomew Gilbert, the son of the noted Sir Humphrey Gilbert, after a voyage to the New England coast, which lasted from March 26th to July 23rd, 1602, was seized with a great desire to search the more southern coasts of Virginia for the lost Colonists of Roanoke Island.

Accordingly, he set sail in a bark of fifty tons, manned by a small crew, and being caught in a storm in July, 1603, off the Capes of Virginia, entered the bay in quest of a good harbor. Seeing to the north an inviting country, lined with

great trees at the mouth of what appeared to be a river,¹ they headed for the Eastern Shore peninsula, and anchored about a mile off the beach. Being in great need of water and fuel, Captain Gilbert, accompanied by Master Thomas Canner, a gentleman of Bernard's Inne, as he styled himself, Richard Harison,² the master's mate, Henry Kenton, their "Chirurgeon," all well armed, went ashore, leaving two small boys on the beach to care for the boat. The party had gone only a short distance when the Indians fell upon them, killing Captain Gilbert and one other. With much difficulty the rest succeeded in saving the boat and reaching their comrades. From this unpromising neighborhood, and satisfied in their minds, no doubt, as to the fate of Sir Walter's unfortunate colonists, the crew of the good ship Elizabeth weighed anchor and reached London, their home port, in September, 1603, only to find the city "grievously infected with a terrible plague."

The superstitious would say that the ill fortune of the venture was due to the day of landing, which was Friday. (29th of July, 1603.)³

¹Probably Bullock's Channel between Smith's Island and the Mainland.

²First of the Harrisons in Virginia?

³A Voyage to Virginia in 1603. Written by Master Thomas Canner. See Purchas's Pilgrimes, p. 1656, Vol. IV.

II

THE COMING OF THE ENGLISH AND SMITH'S EXPLORATIONS

In the year of our Lord, 1602, one Captain Bartholomew Gosnold visited the new world, and returned to London convinced of the great public, not to say personal, benefit to be derived from the planting of a Colony on the soil of Virginia. Not discouraged by the previous failures of Sir Walter Raleigh to colonize Virginia, Gosnold secured the support of John Smith, a soldier of fortune and of great repute, Edward Maria Wingfield, Parson Hunt, and others, and together they parleyed and lobbied about the Court of King James, spending much time and money among courtiers and influential persons in the hope of bringing their influence to bear upon the King. Persistence conquered at last, and on April 10, 1606, letters patent were issued, authorizing the establishment of two colonies in Virginia.

We shall concern ourselves only with the southern colony, the plantation of which was entrusted to a company composed of Sir Thomas Gates and Sir George Somers, Knights; Richard Hackluyt, Clerk, prebendary of Westminster, Edward Maria Wingfield, and others, mostly residents of London. This Company was authorized to plant a Colony wherever they might choose between 34° and 41° of north latitude; and the King vested in them a right of property in the land extending along the sea coast fifty statute miles on each side of the place of their first plantation, and reaching into the interior one hundred miles from the sea coast, together with all islands within one hundred miles of their shores.

At length, three vessels were fitted out for the expedition, a pinnace of twenty tons, and two ships of forty and one hundred tons respectively, and placed under the command of Captain Christopher Newport, a navigator experienced in voyages to the New World.

In the charter granted to Sir Thomas Gates and his associates, it was provided that the colony should have a council of its own, subject to a superior council in England; and on November 20, 1606, instructions were given by the King for the government of the two colonies, directing that the council in England should be approved by the Crown, and the local council by the superior one in England. It was further provided that the members of the junior council were to elect their own president annually from among their number. Orders were enclosed in a sealed box, which was put on board the Commander's ship; and it was ordered that this box was not to be opened until a landing in Virginia was effected.

The little expedition set sail from Blackwall, December 19, 1606, and after a long and tedious voyage, not without adventure, however, "God, the guider of all good actions, did drive them by his providence to their desired port," on April 26, 1607, which happened in this case to be a low and sandy point, which they named Cape Henry, after their Royal Prince. A number of the weary voyagers, who landed upon the Cape to investigate the new land, were angrily received by the natives, who showered arrows upon the intruders, wounding two of the party. Justly considering Cape Henry an inhospitable coast, the expedition departed therefrom in quest of a suitable spot for their settlement. That night the sealed orders were opened and it was found that (Bartholomew Gosnold, John Smith, Edward Maria Wingfield, Christopher Newport, John Ratcliffe, John Martin and George Kendall were to compose the first council.) For seventeen days the

expedition cast about for a suitable landing place, and finally, on May 13, 1607, it was determined to disembark upon what was afterwards known as Jamestown Island. Wingfield was immediately chosen President by the council, and under his command the work of settlement commenced. The foregoing account has been given by way of introduction to Captain John Smith, who after Verrazano, Gilbert, and possibly d'Ayllon, was the next white man to visit the Eastern Shore.

It was very natural that the enthusiastic Gosnold should desire to enlist Smith's interest in behalf of his colonization scheme. A man of such great experience and prowess would be invaluable in the organization and establishment of a settlement in the wilderness of the New World, for trials and difficulties calculated to discourage and overcome the average man would merely lend zest to the venture, so far as Smith was concerned.

If we read Smith's own account of his adventures in this and the Old World, while we may admire his courage and ability as a leader, yet we are forced to confess that he was somewhat of a braggart and given to self-exploitation. It is doubtful, however, if Smith were more of a boaster than other navigators and adventurers of his time, yet he seems to have aroused the jealousy of his companions, for soon after leaving the Canary Islands, where the ships replenished their supply of water on the way to Virginia, he was accused of plotting to usurp the command of the expedition and make himself King. For thirteen weeks, he was held in duress, and at the election of the President of the council, on the 13th day of May, the day of disembarkation at Jamestown, it was explained at the meeting why he could not act as one of the council, to which he had been appointed in the sealed orders. The President offered to send him back to England with Captain Newport and let the charges against him drop, but

Smith seeing Wingfield's jealous desire to dispose of him, refused the offer, and by upright conduct, and the invaluable services which his experience and ability enabled him to perform in behalf of the settlement, overcame all jealousy and suspicion, and disconcerted the machinations of his enemies, and through the good offices of Parson Hunt, was soon restored to the Council, and a reconciliation ensued.

During the first year at Jamestown, Smith was busily engaged in exploring the James River and in negotiating and making friends with King Powhatan, who had caused his capture and liberated him at the instance of Pocahontas. In his dealings with the savages, he had shown a master's hand; and having made himself indispensable to the settlers, became their real leader.

The second of June, 1608, John Smith left Jamestown with a small body of men, bent upon the exploration of the great bay, across the mouth of which they had sailed the year before, and upon the investigation of the character of the low lying land north of Cape Henry.

The company was made up as follows:

"Captain John Smith, Commander.
Walter Russell, Dr. of Physicke.

GENTLEMEN

Rolf Murton	Richard Fetherston
Thomas Momford	James Burne
William Comtrill,	Michell Sicklemore

SOULDIERS

Jonas Profit	James Watkins
Anas Todkill	John Powell
Robert Small	James Read
Richard Keale "	

The account of the expedition from now on, as written or approved by Captain John Smith himself, is too interesting to omit, so it is inserted in full so far as it concerns the Eastern Shore. Referring to the above gentlemen and soldiers, he writes :

"These being in an open barge neare three tuns burthen, leaving the Phoenix at Cape Henry, they crossed the bay to the Eastern Shore, and fell with the Isles called Smiths Isles, after our Captaines name.¹ The first people we saw were two grim and stout Salvages upon Cape Charles, with long poles like Javelings, headed with bone, they boldly demanded what we were, and what we would; but after many circumstances they seemed very kinde, and directed us to Accomack,² the habitation of their Werowance, where we were kindly intreated. This King was the comliest, most proper, civill Salvage we incountered. His Country is a pleasant fertile clay soyle, some small creekes; good harbours for small Barks, but not for Ships. He told us of a strange accident lately happende him, and it was, two children being dead; some extreame passions, or dreaming visions, phantasies, or affection moved their parents againe to revisit their dead carkases, whose benumbed bodies reflected to the eyes of the beholders such delightful countenances, as though they had regained their vitall spirits. This as a miracle drew many to behold them, all which being a great part of his people, not long after dyed, and but few escaped.³ They spake the language of Powhatan, wherein they made such

¹The island, still called Smith's Island, situated about two miles to the east of Cape Charles, and which is about twelve miles long and about two miles broad, must have been the principal island here alluded to.

²It is evident from Smith's map, inserted in his book, that this place, above alluded to, denominated by him in his said map, Accomack, was situated within the interior part of Cape Charles, and on or near the place called Cherryton, in Northampton county.

³The medicine men of the tribe may have embalmed the bodies in some way. It is probable that the children died of smallpox or some other contagious disease which was contracted by the curious visitors.)

descriptions of the Bay Isles, and rivers, that often did us exceeding pleasure. Passing along the coast, searching every inlet, and Bay, fit for harbours and habitations. Seeing many Isles in the midst of the Bay we bore up for them, but ere we could obtaine them, such an extreme gust of wind, rayne, thunder, and lightening happened, that with great danger we escaped the unmerciful raging of that Ocean-like water. (The highest land on the Mayne, yet it was not low, we called Keales hill,¹ and these uninhabited Isles, Russell Isles.²) The next day searching them for fresh water, we could find none, the defect whereof forced us to follow the next Easterne channell, which brought us to the river of Wighcocomoco. The people at first with great fury seemed to assault us, yet at last with songs and daunces and much mirth became very tractable, but searching the habitations for water, we could fill but three barricoes, & that such puddles, that never till then we ever knew the want of good water. We digged and searched in many places, but before two daies were expired, we would have refused two barricoes of gold for one of that puddle water of Wighcocomoco. Being past these Isles which are many in number, but all naught for habitation, falling with a high land upon the mayne, we found a great pond of fresh water, but so exceed-

¹From Smith's location of this "hill" on his map, it must have been some high land or rising ground on the bay-coast of Northampton County; perhaps somewhere about Onancock. He appears throughout his exploration of the Chesapeake to have given names to several places in compliment to individuals of his crew; probably from some incidental circumstances attending their discoveries, not mentioned in the narration of his voyage. Richard Keale, one of his "souldiers," might possibly have first observed or discovered this "hill," and Smith called it after him.

²These isles, which Smith called Russell's Isles (probably in compliment to his friend and present companion, Doctor Russell), were the lowest cluster within the bay. It is a very ordinary circumstance, however, that in the latest and best maps of Maryland and Virginia a disagreement occurs in the denomination given to these lower Islands. In Griffith's map of Maryland, published in 1794, they are called Tangier Islands; but in that of Virginia, published by Bishop Madison in 1807, these same islands are denominated Watt's Islands. The later denomination we may suppose to be the most correct.

ing hot that we supposed it some bath; that place we called Poynt Ployer, in honor of that most honourable house of Mousay in Britaine, that in an extreame extremities once relieved our Captaine. From Wighcocomoco to this place, all the coast is low broken Isles of Moras, growne a myle or two in breadth, and ten or twelve in length, good to cut for hay in Summer, and to catch fish and foule in Winter; but the land beyond them is all covered with wood, as is the rest of the Country.

"Being thus refreshed in crossing over from the mayne to other Isles, we discovered the winde and waters so much increased with thunder, lightening, and raine, that our mast and sayle blew overboard and such mighty waves overrackes us in that small barge that with great labour we kept her from sinking by freeing out the water. Two days we were inforced to inhabite these uninhabited Isles which for the extremities of gusts, thunder, raine, stormes, and ill wether we called Limbo. Repairing our saile with our shirts, we set sayle for the maine and fell with a pretty convenient river on the East called Cuskarawack, (the people ran as amazed in troupes from place to place, and divers got into the tops of trees, they were not sparing of their arrowes, nor the greatest passion they could expresse of their anger. Long they shot, we still ryding at an Anchor without there reatch making all the signes of friendship we could.' The next day they came unarmed, with every one a basket, dancing in a ring, to draw us on shore; but seeing there was nothing in them but villany, we discharged a volley of muskets charged with pistoll shots, whereat they all lay tumbling on the grownd, creeping some oneway, some another into a great cluster of reeds hard by; where their companies lay in Ambuscade. Towards evening we wayed, & approached the shoare, discharging five or six shot among the reedes, we landed where there lay a many of baskets and much bloud, but saw not a Savage. A smoke appearing on the other side the river, we rowed thither, where we found two or three little houses, in each a fire, there we left some peeces of copper, beads, bells, and looking glasses, and then went into the

bay, but when it was darke we came back agine. (Early in the morning foure Salvages came to us in their Canow, whom we used with such courtesies, not knowing what we were, nor had done, having been in the bay a-fishing, bade us stay and ere long they would returne, which they did and some twentie more with them; with whom after little conference, two or three thousand men, women & children came clustering about us, every one presenting us with something, which a little bead would so well requite, that we became such friends they would contend who should fetch us water, stay with us for hostage, conduct our men any whither, and give us the best content.) (Here doth inhabite the people of Sarapinagh, Nause, Arseek, and Nantaquak the best Merchants of all other Salvages. They much extolled a great nation called Massawomekes, in search of whom we returned by Limbo; this river but onely at the entrance is very narrow, and the people of small stature as them of Wightcocomoco, the Land but low, yet it may prove very commodious, because it is but a ridge of land betwixt the Bay and the maine Ocean. Finding this Easterne Shore, shallow broken Isles, and for most part without fresh water, we passed by the straites of Limbo for the Western shore; so broad is the bay here, we could scarce perceive the great high cliffs on the other side; by them we anchored that night and called them Riccards Cliftes; 30 leagues we sayled more Northwards not finding any inhabitants leaving all the Easterne Shore, lowe Islandes, but overgrowne with wood, as all the coast beyond them so farre as we could see.”¹

From the foregoing account it will be seen that Smith and his companions cruised along the western shore of the Accomack peninsula, which is the Eastern Shore of Chesapeake Bay, until they reached what is now called Pocomoke River, near the present boundary between Virginia and Maryland. The distance is between seventy and eighty miles. The reason Smith assigns for the long cruise was the need of

¹Smith's History of Virginia.

fresh water, but to those who know the abundant springs of Accomac and Northampton, this statement is surprising.

Overtaken in the neighborhood of Pocomoke by one of those summer thunder-storms, which are so prevalent about the Capes, and which are so terrifying in their suddenness, Smith's boat was blown across the Chesapeake. This squall caused his companions to lose courage, and to beg to be taken back to Jamestown. Nothing daunted by the tempestuousness of the elements, our brave Captain deemed it wise to address his men as follows:

"Gentlemen, if you would remember the memorable history of Sir Ralph Layne, how his company importuned him to proceed in the discovery of Moratico, alleading that they had yet a dog, that being boyled with Sazafras leaves, would richly feede them in their returnes; then what a shame it would be for you (that have bin so suspitious of my tender-nesse) to force me returne, with so much provision as we have, and scarce able to say where we have beene, nor yet heard of that we were sent to seeke? You can not say but I have shared with you in the worst which has past; and for what is to come, of lodging, dyet, or whatsoever, I am contented you allott the worst part to myselfe. As for your feares that I will lose my selfe in these unknown large waters, or be swallowed up in some stormie gust; abandon these childish feares, for worse than is past is not likely to happen; and there is as much danger to returne as to proceede. Regaine therefore your old spirits for returne I will not (if God Please) till I have seen the Massawomeka, found Patawomek, or the head of this water you conceiv to be endless."

Smith's determination, coupled with prospects of fairer weather, overcame the fears of his crew. The bay was further explored, the Potomac discovered, and then and not until then was he satisfied to return. On their voyage back,

entering what is now called Hampton Roads, and passing by the low sand-spit, where the ramparts of Fortress Monroe now frown and the gay summer resorts are built, they stopped at the Indian Village, Kickotan, located upon the present site of Hampton. Obtaining there a goodly supply of food from the Indians, they returned to Jamestown settlement, about forty miles up the river, then called Powhatan, now known as the James. "In this, as in all things, the Englishman appropriated what belonged to the Indians, and King James supplanted King Powhatan."¹

It was on this return voyage that Smith, while practicing the art acquired from Kicktopeake, the Accomac King, impaled a fish upon his sword, in the shallow waters about the mouth of the Rappahannock River. (Unaware of the dangerous character of his captive, he received in his wrist a very painful wound from the spike-like fin upon the tail of the fish.) This wound caused much soreness and such swelling that he thought he was like to die) and his whole party going ashore, laid Smith under a tree where he made his will. "But," says he, "by night-time the swelling and soreness had so assuaged that I had the pleasure of eating that fish for supper.") The next morning the journey was resumed, and the place where the accident occurred, in remembrance of the incident, was named Stingray Point. To this day, that point at the mouth of the Rappahannock River is called Stingaree Point, and that fish is still called Stingaree by the people along Chesapeake Bay.

After this famous cruise, John Smith made his excellent map of Virginia, showing the Capes and Islands, the points and rivers, which he visited. In this map the Kingdom of Accawmake occupies a most conspicuous place.

¹End of An Era, Jno. S. Wise.

III

ARGOLL'S VISIT AND DALE'S GIFT

Bearing in mind the stories brought back from the coast by Smith and his men, Sir Samuel Argoll, in 1613, determined to visit the Kingdom of Accawmack for the purpose of securing supplies of fish for the starving colonists along the James River. The following is his own description of the trip:

"I departed out of the River in my shallop, the first of May, for to discover the East side of our Bay, which I found to have many small Rivers in it, and very good harbours for Boats and Barges, but not for ships of any great burthen; and also great store of Inhabitants, who seemed very desirous of our love, and so much the rather, because they had received good reports from the Indians of Pembroke River, of our curteous usage of them, whom I found trading with me for corne, whereof they had great store. We also discovered a multitude of Islands bearing good meadow ground, and as I think, Salt might easily be made there, if there were any ponds digged, for that I found Salt Kernal where the water had overflowne in certain places. Here is also a great store of fish, both shel-fish and other. So having discovered along the shore fortie leagues Northward, I returned, etc."¹

From this description of the islands and their meadows, it is quite certain that Argoll landed upon Smith's Island, upon the Eastern beach of which the Atlantic hurls her lines of foaming breakers with appalling fury. At no place along the coast would the waters be more briny, or less polluted by

¹Extract from a letter written by Sir Samuel Argoll to Master Hawes in June, 1613. Purchas IV, pp. 1764-65.

the drift of the inner waterways. In view of the scarcity of provisions in the settlements of the western shore, it was a natural consequence of Argoll's discovery, that, in June, 1614, John Pory, Secretary of the Colony, should send Lieutenant Craddock, with about twenty men, to Smith's Island to boil the sea water down to salt and catch fish for the people of the James River.¹ Two years later, Rolfe wrote that at Dale's Gift near Cape Charles, there were seventeen men under Lieutenant Craddock.² This statement of Rolfe's has led many to believe that the salt colony was not established until 1616. Much confusion also seems to exist as to whether this little settlement was located on the mainland or on Smith's Island. The truth of the matter is that the salt house or works, as they are frequently styled, were erected on the Island, and details of men were sent over from the settlement on the mainland to carry on the work. The settlement on the mainland was planted on the banks of what is now called Old Plantation Creek, which flows into the bay about nine miles north of the point of Cape Charles. So important was the work considered, that the detachment of men at Dale's gift was supported at the expense of the Company. To what extent the Governor contributed to the erection of the works is not known, but in the minutes of the Quarter Court, held February, 1619-20, we find the following significant passage:

“Whereas, during the time of Sir Thomas Dale's residence in Virginia there was by his means sundry salt works set up, to the great good and benefit of the plantation, since which time they are wholly gone to rack and let fall, insomuch that by defect thereof the inhabitants are exceedingly distempered by eating pork and other meats fresh and unseasoned; there-

¹The First Republic in America, Brown, p. 227.

²Rolfe's Relation, in Neill's Va. Co. of London, p. 111.

fore it was referred to a committee to consider with all speed for the setting up again of said salt works, that is to Sir John Dauers, Sir Nathaniel Rich, Mr. John Wroth, Mr. Dr. Winstone, and Mr. Samuel Wrote, to meet at two of the clock at Mr. Treasurer's house, Mr. Baldwin is desired at the same time to be there to further the committee with his best service."¹)

Whether or not the Governor contributed more than his authority to the support of this enterprise when it was founded, the settlement was named in his honor, Dale's Gift.

When Sir Thomas Dale left the colony in 1616, there were but three hundred and fifty settlers or heads of families, and the only settlements were those at Henrico, Bermuda, West and Shirley Hundred, Jamestown, Kiquotan and the one at Cape Charles; so we see that Dale's Gift was one of the oldest settlements in the Colony.)

We may well imagine that the task assigned the first salt boilers was far from being a grateful one to the little band. Their residence on the far-away peninsula was looked forward to, no doubt, as the equivalent of exile or solitary confinement in a dangerous locality. At Jamestown, the settlers were located upon an island. This fact and their numbers gave them comparative security from the savages. On the peninsula, however, the new plantation or post was located on the shore of a great sea, with trackless, unexplored forests, to the north and east. So few were the men assigned to this remote post, that their situation would indeed have been a perilous one in case of attack, separated from their friends as they were, by the great Chesapeake. It was therefore, doubtless, in the spirit of satire that the party named the place at which they first located upon the Eastern Shore,

¹Virginia Company, Va. Hist. Collect., Vol. III, p. 47. ←

Dale's Gift.¹ At any rate, such was the humble beginning of that portion of the colony of Virginia, the character of which has been greatly influenced by the peculiar isolation of its territory; such was the inception of a mission destined to Anglicize the Kingdom of Accawmacke, "the land of the Myrtle and the Pine."²

(For the evaporation of the salt water, the men sent to Smith's Island, in 1614, appear to have relied at the outset³ principally on the heat of the sun. Until Argoll assumed the administration of affairs, the people obtained their supplies of salt from this source;⁴ but in the common wreck precipitated by his government, the little band of salt boilers were dispersed and their crude appliances fell into decay.⁵ This led to much suffering, as the settlers were forced to eat their pork and other meats in a fresh state. The distempers resulting from such a practise were so severe that action was taken, as we have seen, with a view to reestablish the works, which was done in 1620, and the following year, Miles Pirket, a man skilled in salt making, was sent to Virginia to manage the works.⁶ The object which the Company had in view was not only to furnish the people of the Colony with the necessary supply of salt, but in time to produce so great a quantity that all the fisheries on the American coast might be supplied with the article at a handsome profit to the Company.⁷ In 1621, John Pory was instructed by Governor Yeardley to visit the Eastern Shore and select a spot

¹End of An Era, Wise.

²The phrase of Henry A. Wise; see *Seven Decades of The Union*.

³For following facts as to salt making on the peninsula, see Bruce's Economic History of Va. in 17th Cent.

⁴Neill's Va. Co. of London, p. 180.

⁵Abstracts of Proceedings of Va. Co. of London, Vol. I, p. 55.

⁶Company's Letter, Sept. 11, 1621: Neill's Va. Co. of London, p. 249.

⁷Abstracts of Pro. of Va. Co. of London, Vol. I, p. 68.

combining the most conveniences for the new works,¹ what remained of the works on Smith's Island being soon moved by Pory. The supervision of the erection of the salt plant was assigned to Maurice Berkeley, whose principal subordinate was Miles Pirket and whose second assistant was also a trained salt-boiler.² In a subsequent chapter, we shall follow the course of salt-making on the peninsula.³ Enough has been said to show that the need of salt brought about the settlement of "Dale's Gift" and the Eastern Shore, plantations so isolated and remote from the other settlements that the Kings of England for many years addressed their decrees to the people of Virginia, "To our faithful subjects in ye Colonie of Virginia and ye Kingdome of Accawmacke."

Like many another venture undertaken reluctantly and in ignorance, this settlement upon the remote peninsula proved to be anything but an irksome and dangerous undertaking. The party of Dale's Gift found the Accawmacke Indians, though speaking the language of the Powhatans, in other respects totally unlike their war-like and treacherous confederates across the bay, and from that time forth there never was, not even at the time of the general outbreak of the Savages, in 1622 and 1644, any serious trouble between the whites and the Accawmacke Indians. (The climate was also much more salubrious than that of the swampy regions along the James River, where the brackish water and stagnant ponds bred malaria and other fatal diseases. As for sustenance, they found the place an earthly paradise. In the light and sandy soil, corn, vegetables, and many varieties of

¹Works of Capt. John Smith, p. 567.

²Letter of Governor and Council to Company, January, 1621-22; Neill's Virginia Company of London, p. 283. Pirket is sometimes referred to as Pickett, sometimes as Prickett.

³See chapter on Trade, Commerce, etc.

fruit grew in abundance at the cost of but slight labor. Fish and shell-fish of every description abounded in the ocean, bays and inlets, as they do to-day. Wild fowls of many sorts, from the lordly wild goose to the tiny teal, swarmed in the marshes along the coast. Game in great abundance, furred and feathered, could be had for the shooting of it upon the land. The fig and the pomegranate thrived upon this generous soil. The influence of the Gulf Stream, which, in passing the Virginia Capes, approaches within thirty miles of the coast, and then turns abruptly eastward, made, as it still makes, residence upon the Eastern Shore of Virginia most charming and delightful. The exiles of the salt works, pitied at first, soon became the epicures of the colony and aroused, by their very failure to complain, the curiosity of the James River settlers.¹) Upon investigation, the latter found no cause for further pity; the conditions surrounding the exiles were far from lamentable!

¹End of An Era, J. S. Wise.

IV

THE PLANTATION OF ACCOMACK

There is a tradition that a number of the early settlers of Virginia crossed the Chesapeake in a canoe in 1610 and landed on the Eastern Shore. We are told that these first comers intermarried with the Nassawattox Indians and were found living among them in a state of semi-civilization and savagery when Dale's Gift was first established in 1614.¹ If this tradition be founded upon fact, it is strange that no reference was made to the matter by the discursive John Smith in his history, nor by Argoll nor Pory, who both visited the peninsula and wrote of their adventures among, and their observations upon, the Indians. It is most improbable that Englishmen could have been dwelling among the Indians without these writers knowing it. Yet we should not dismiss the tradition without according it reasonable weight.

At a Court held, in 1635, in Accomac County, it was recorded, "Forasmuch as Henry William did make it appear that he had lived on his land twenty years, and did much service for the country, it was certified to the Governor and Council, etc."² At a Court held in 1643 in the same County, there was recorded "a deed for land granted by Sir John Harvey on February 20, 1639, to Henry Williams because he was an ancient planter in the time of Sir Thomas Dale.

¹See an article on Early Episcopacy in Accomack, Va. Mag. of History and Biography, Vol. V, p. 128.

²See Northampton County Records, Vol. I; Brown's First Republic, p. 421.

as evidenced by a grant to him from the Treasurer and Company in 1618." Williams came to Virginia on the "Treasurer" in 1615, and may have settled at Dale's Gift that year, but, says Dr. Brown, it is doubtful whether he resided on the Eastern Shore for twenty consecutive years, for in 1625 he was living on his land in the corporation of Charles City.¹ Williams can not, therefore, be called the first settler.

It is a remarkable fact that Thomas Savage, said by many authorities to be the first permanent white settler on the Eastern Shore of Virginia,² is the only one of those adventurous spirits who came to Virginia in 1607 with Smith, whose descendants can be authentically traced to the present generation. Thus the Savages, many of whom live in Accomac and Northampton to-day, represent the oldest American family in the United States.

Thomas, afterwards Ensign Thomas Savage, came to Virginia with the first settlers when but thirteen years old, and in 1608 was given to Powhatan by Captain Newport in exchange for Namotacke, an Indian.³ He remained for some years with the Powhatans and learned their language, so that he was able to render the Colony much service as an interpreter.

John Pory tells us how Savage, "with much honestie and successe served the publique, without any publique recompense, yet had an arrow shot through his body in their service." On one occasion, when at Opechancanough's town for the purpose of securing a captive—Thomas Graves—some difficulty arising, Savage and three others offered to fight thirteen of the Indians at once, but the Indians declined the

¹First Republic in America, Brown p. 421.

²First Republic in America, Brown p. 421.

³See Smith's History of Va.; Cradle of the Republic, L. G. Tyler, p.

invitation. Powhatan loved the little white man, which no doubt aroused Opechancanough's jealousy. This, coupled with the unfortunate incident narrated, probably caused Savage to leave Powhatan and move to the Eastern Shore, where Debedeavon, the Laughing King, gave him, in 1619, a large tract of land lying between Cheriton Creek and King's Creek, known as Savage's Neck.¹

It is possible that Savage may have been living among the Indians of the Eastern Shore (before 1619) for when Captain John Martin visited them in April, 1619, he found him well established in their councils. Captain Martin says that being somewhat cut off from the main, "necessity had made the natives of the Eastern Shore more industrious than any other Indians in our bay." He also said that "the trade with the Indians was discovered not long before Sir George Yeardley came in by my Aunchient (Ensign) Thomas Savage and servants, when they saw at one time forty of their great canowes laden with their commodities, and obtained a sufficient quantity of corn to relieve the Colonists," who were then in want, owing to the failure of the crops the previous year on the Western Shore. So we see that at a very early date the settlers along James River had learned the value of the remote peninsula as a source of food supply.²

When John Pory visited the Eastern Shore in 1621, he found young Savage dwelling happily among the Indians and thoroughly ingratiated in the good-will of the Laughing King, and of his Prime Minister and brother, Kictopeake. Hannah Tyng, Savage's wife, came to Virginia in 1621 in the good ship "Sea Flower," with Captain Hamor, and the records show that on December 1, 1627, she was granted fifty

¹The First Republic in America, Brown, p. 421.

²The First Republic in America, Brown, p. 288.

acres of land in the Plantation of Accomack, by way of dividend for having defrayed the expenses of her own transportation. This grant is described as a small neck of land abutting northward on the main river (Cheriton Creek), eastward on the creek, called Long Creek, and westward on Curtaile Creek, dividing the same from the land of Clement Dilke. Thomas Savage died in 1627 and left an only son, Captain John Savage, of "Savage's Neck," born 1624; Burgess for Northampton, 1666-1667. Hannah, the widow of Thomas, married Daniel Cugley. Captain John Savage married first, Ann Elkington; second, Mary, daughter of Colonel Obedience Robins of "Cherrytone."¹ Thomas Savage being the first settler, this much of his history is not thought to be out of place.

Among the old records of the Virginia Company for the year 1620, we find the following item in reference to "The Allowance of John Pory, Secretary:"—

"Itt was agreed and confirmed att this Court that Mr. Pory the Secretary and his successors in that place should have five hundred acres of land belonging to that Office, and twenty Tenants to be planted, thereupon, whereof Tenn to be sent this year and Tenn the next yeare and the Secty. then from henceforward should receive no fees for himself, etc."²

John Pory, who seems to have been much interested in and attracted by the Eastern Shore, at once laid out his lands along King's Creek, and sent over his first ten tenants in 1620, the year of the grant.³

¹See Va. Mag. of History and Biography, Vol. I, pp. 443-44. Cheriton, the original Indian name, was corrupted to Cherrytone and is now called Cherrystone.

²Records of Va. Company, Vol. I, 1619-1622, p. 249.

³First Republic in America, Brown.

The following year he sent over his other ten tenants and Captain John Willcox also planted near the Secretary's settlement with a small number of men.¹ (The site of the Secretary's settlement was upon the farm now known as "Town Fields," which lies between Cheriton or Cherrytone and King's Creeks, divided by the latter creek from the present town of Cape Charles City, about 14 miles north of the Cape or extremity of the peninsula. This settlement was called by its first tenants, "The Plantation of Accomack," and for many years the town went by that name, as a result of which much confusion has arisen, since the writers of the time in referring to the Eastern Shore at large, even after the peninsula was named Northampton County, had in mind the single village of the peninsula or the town of Accomack.

Dale's Gift, on account of being the older settlement of the two, was from now on referred to as the old plantation, and hence the name "Old Plantation Creek," upon the shores of which the first settlement was located.

The new town prospered at the expense of the old plantation, and seems to have absorbed its inhabitants in the course of a few years, although persons still resided in the older quarter.

During the same year the generous King Debedeavon gave to the Governor, Sir George Yeardley, all the land between Hungar's Creek and Cheriton Creek.

At a Court held, in 1668, in Northampton County:

("About Esquire Yardley's and John Savage's Land—The deposition of Wm. Jones, aged 59, Sayeth, That being at the house of the late Col. Robins about thirty-five years since (when Laughing King came annually to visit him in the Spring) was desired by Col. Robin's to ask the said King,

¹First Republic in America, Brown.

whose land such a neck of land was? He replied, that he had given that neck of land from Wissaponson Creek to Hungar's Creek to Sir George Yardley, and the south side of Wissaponson to his son Thomas Newport (that is, Thomas Savage)."¹

(In 1621, when Pory's party visited the Laughing King, the old chief described the Eastern Shore to the English, telling them of the abundance of fish and fowl, and gave Lieutenant Marmaduke Perkinson some of the earth called terra lemnia (there to be had in great abundance), which was said by Perkinson to be as good as that of Turkey.² Pory returned to Jamestown, leaving a hundred men happily settled, through whom he hoped that a flourishing fur trade would soon spring up.³ But the charms of the country drew the settlers away from the little settlement and they spread along the creeks and bays to the north and east, scattering their homes and clearings over a wide area. Elbow room was their cry, and since there was nothing to be feared at the hands of the Accawmacke Indians, there was no reason so far as they could see why, simply to please the authorities, they should remain huddled together on the banks of Old Plantation Creek. By the end of the year 1621, there remained but nine men at the old settlement, and there was no guarantee that they too would not soon desert. John Pory, the god-father of the little Colony, in great alarm, petitioned the Governor and the Council of State for aid, both men and means, to help maintain the plantation of Accomack, for, as a result of removals, desertions and deaths, and the great tendency of his settlers to scatter over the peninsula, there

¹First Republic in America, Brown, p. 421.

²First Republic in America, Brown, pp. 461-462.

³Ibid. p. 420. Va. Col. Records, 1621-23. Va. Mag. of History and Biography, Vol. XV, p. 34.

were but few tenants left and he feared lest they might be destroyed by the Indians.¹ Owning lands there himself, Sir George, the Governor, was not disinterested in the plantation, and very unselfishly took care of the petition; as a result of which, "certain fees were allowed for the employment and maintenance of tenants at Accowmack." Thus the little Colony became one of the plantations of the Virginia Company.²

In June, 1622, the good Sir George himself, accompanied by his council and "a number of the greatest gallants in the land," went to Accomack to inspect the settlement and incidentally his own properties. So pleased was he with what he found that he spent six weeks on the peninsula, bringing home with him some corn, but says Smith, "as he adventured for himself, he accordingly enjoyed the benefit."³ From this it would seem that the trip was in the nature of a semi-official excursion. From then on, all was prosperity. (We may be sure that the less fortunate settlers at Jamestown, Smithfield, Flower de Hundred and the Falls of the James, were not long in finding out the delights of this at first despised settlement on the Eastern Shore.) (Indeed in 1622, the most trying year to the early colonists, beset with Indian tomahawks, starvation and disease, the forlorn and desperate settlers on the western shore looked with longing eyes upon the peace and plenty enjoyed by their brothers, the exiles of Accomack.)

All through this period of early settlement, the pioneer days of the Eastern Shore, the Indians there remained the staunch friends of the whites. They shared with the intruder their stores of corn and gave freely of their rich

¹Va. Colonial Records, 1621-23.

²Neill's Va. Co. of London, p. 282.

³Smith's General History.

lands to the white brother from across the sea. Young Savage had won the heart of the old King, who through his great love for the youth grew to love all of his kind, and persistently refused to combine with his confederates, the Powhatans, to work their destruction. Such a task would have been an easy one, and in view of its very simplicity, all the more credit is due Debedeavon. In 1621, the old warrior, alarmed at the perilous position of his white friends, informed Governor Yeardley, through Savage and Colonel Robins, both of whom he was accustomed to visit at their homes, that many Indians had assembled at the ceremony of the taking up of Powhatan's bones, and that Opechancanough had plotted with them for a general uprising and massacre of the whites, both on the western and eastern shores. (At first the Governor was highly incredulous, but being further warned by Savage and Robins, that the Laughing King knew whereof he spoke and that his undoubted affection for them precluded any motive but that of friendship in reporting the designs of Opechancanough, by which action he compromised himself, the Governor became greatly alarmed. Thereupon Yeardley himself went in person to every plantation in the colony, held musters, provided what arms the general stores afforded, and commanded that strict ward and watch be kept.¹ When charged by the Governor with the foul design of massacring the English, Opechancanough stoutly denied any such intent, and as time wore on and no overt act occurred to confirm the rumor, the colonists relaxed their vigilance. The warning, however, and the prompt steps taken to put the various plantations in a state of defense, did much to prevent the complete annihilation of the colony the following year; for just as Debedeavon re-

¹First Republic in America, Brown, p. 465.

ported they would do, the savages rose *en masse* and fell upon the whites on the western shore. Ushered in by the blood-chilling war-cry of the frenzied savages, for days a reign of terror continued when the torch and the bloody scalp knives did their horrid work. Few indeed were the frontier homes unvisited by the murderous red men. But upon the Eastern Shore the colonists rested secure under the protecting arm of their native ruler. Not only Eastern Shoremen, but all Virginians, should ever revere the memory of the "Laughing King of Accowmacke" whose timely warning and unselfish friendship during the dark days of 1622 saved the whites from a more awful fate.)

(Coincident with this period of massacre was the spreading of a "foull distemper" among the people of the western shore, the germs of the disease having been imported with the fresh supplies of immigrants. The mortality resulting from this epidemic, which spread with astonishing rapidity through the plantations, was appalling. Five hundred persons, or about half of the inhabitants of the colony, died in a short period of time, and so panic stricken became many of the survivors that the proposition to desert the rivers and their sickly swamps for the Eastern Shore met with much favor.¹) At any rate, a commission was issued to Sir George Yeardley on June 20th, 1622, to visit the peninsula and make a thorough survey of the country with such a step in view and no such action would have been taken unless the step were at least contemplated, in spite of the fact that the Treasurer of the Colony, George Sandys, denied any intent of the authorities to make such a move.² Be that as it may, the

¹Virginia Vetusta, Neill, pp. 122-127. Letter of Governor and Council of Va. to London Co., Jan. 20, 1623. Neill's Va. Co. of London, p. 367. Bruce's Economic History of Va. in 17th Cent., Vol. I, pp. 272-273.

²Va. Colonial Records, 1622-23; Va. Mag. Hist. & Bio., Vol. XVI, p. 6.

many advantages offered to the distressed settlers along the fetid banks of the James by the healthful peninsula, the fertility of its soil, its delightful breeze-tempered climate, the friendship of the savages, all together, comprised an inducement strong enough to justify a general migration to its shores.¹

Although an official removal of the colonists along the James River did not occur, many people of their own accord moved to the peninsula about this time, among whom was Lady Elizabeth Dale, widow of Sir Thomas Dale, who left lands on the Eastern Shore.²

The muster of Lady Dale's plantation on the Western Shore, just prior to the massacre of 1622, shows twenty persons, eight of whom were boys. There was very little ammunition and but six match-locks on the place. This must have been the condition of many of the plantations at the time of the threatened massacre and small wonder it is that many of the defenseless people should have deserted their homes and sailed across the bay to the kingdom of Accawmacke. Whatever the cause, people were beginning to flock to the peninsula, as evidenced by the following list made out February 16th, 1623:³

¹Brown's First Republic in Am. Neill's Va. Company.

²Neill's Va. Company of London, p. 368. Brown's Genesis of U. S., pp. 452-453-454. For interesting papers relating to Dale, see Appendix.

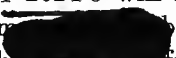
³Colonial Records of Va. Senate Document (Extra), 1874.

"LISTS OF THE LIVINGE & DEAD IN VIRGINIA

AT THE EASTERN SHORE

<u>Capt. Wm. Epps</u>	Robert Fennell
<u>Mrs. Epps</u>	Phillips
<u>Peter Epps</u> -	<u>Daniel Cugley</u> ✓
William	<u>Thomas Graves</u> ✓
Edmund Cloake	John Wilcocks
William Bribby	Thomas Crampe
Thomas Cornish	William Andrews
John Fisher	William Coomes
William Dry	John Parsons
Henry Wilson	John Coomes
Peter Porter	James Chambers
Christopher Carter	Robert Ball
John Sunnill (Sumsill)	Thomas Hall
Nicholas Graunger	Ismale Hills
James Vocat Piper	John Tyers
Edward	Walter Scott
John	Goodwife Scott
Thomas	Robert Edmonds
George	Thomas Hitchcocke
Charles Farmer	John Evans
James Knott	Henry Wattkins
John Ascomb	Thomas Parke
Peregree Wattkins	William Smith
Daniell Watkins	Edward Drew
John Blower	Nicholas Hoskins
Goody Blower	And his child
John	William Williams
A boy of Mr. Cans	Mrs. Williams
John How	John Throgmorton
John Butterfield	Bennanine Knight
<u>William Davies</u>	Chad Gunston
<u>Peter Longman</u>	Abram Analin
<u>John Wilkins</u>	<u>Thomas Blacklocke</u>
Thomas Powell	<u>John Barnett</u>
William Beane	<u>Thomas Savage</u> ✓
John Washborne	<u>Salomon Greene</u>

William Quills"

This list shows a total of nearly eighty settlers on the Eastern Shore in 1623. Of those named, many must have been dead or have wandered off to the northern confines of the unexplored peninsula very soon after the muster, for the census of 1624-5 gives "The Eastern Shore over the Bay" a total of but fifty-one souls. The latter is very probable, for the untrampled forests to the north must have been most inviting to the more adventurous spirits. What treasures of fur, skins, game and fish must they have found, awaiting the coming of the white man! (An examination of the names included in the census of 1624-5 will show that a majority of those listed came from  Bay and that they did not emigrate direct to the peninsula from the Old World.¹) This census shows that there were on the Eastern Shore at that time:

- "44 males.
- 7 females.
- 19 houses.
- 16 storehouses, sheds, etc.
- 1 fort.
- 221½ lbs. corn.
- 5 boats including 1 shallop.
- 150¼ lbs. powder.
- 601 lbs. lead and shot.
- 30 pieces-fixt. (match-locks).
- 1 pistoll.
- 3 swords.
- 23 complete armors.
- (4 coats of mail and head pieces.")

In the census given by Brown as of 1625, the above items vary slightly and two hogs are included. The population is reported at the same total figure, but thirty-two free inhabitants, seventeen servants, and two children are specified.²

¹Hotten's *Immigrants*, p. 262.

²First Republic in America, Brown, p. 625.

It is very likely, as has been said, that this census applied only to the settlements and their immediate vicinity, and that there were houses as well as people in the upper parts of the peninsula. At this time there were but 1,209 colonists in Virginia, 269 of whom were women.

The small settlement on the Eastern Shore comprised "St. George's Hundred," of which Captain William Epps was the Commander. St. George's seems to have been the only "Hundred" on the peninsula.¹ It was from this designation that St. George's Parish in Accomac later took its name.

Captain Epps, no doubt, fought in the first duel between Englishmen in America, for about 1619 he killed Captain Stallinge in a private quarrel. In 1633, he moved to Maryland, to which quarter there was a general movement at the time.²

Of the list of the inhabitants of 1624, there are but twenty-two of the names represented on the Eastern Shore to-day. These are: Rodgers, Knight, Wilson, Andrews, Parsons, Hall, Scott, Williams, Edmunds, Evans, Powell, Parks, Watkins, Davis, Wilkins, Smith, Barrett, Savage, Fisher, Piper, Parramore, and Gascoyne.³ Many of these names are quite common at the present time.

The first representatives of Accomack in the Assembly were Captain John Wilcocks and Henry Watkins, both of whom signed a paper as Burgesses from the Eastern Shore in 1624.⁴ The plantation, as such, did not exist in 1619,

¹Northampton County Records, Orders July 28, 1645.

²There is among the Accomac Records (Northampton Court House) a power of attn'y from Wm. Epps of the Island of St. Christopher, to William Stone, in regard to Epps' property on the Eastern Shore of Va. It is dated, July 18, 1633, and Epps' name is spelt Epes.

³See Census referred to in Brown's First Rep. in Am.

⁴Hening I, pp. 121-9; First Rep. in Am., p. 580; Va. Mag. of Hist. and Bio., Vol. VII, p. 189.

when the first Assembly was held. Up to the year 1626, the only patents of land issued, was one to John Blower for 140 acres, the tract known as Savage's Neck, to "Ensign Thomas Savage," called his "Divident"; and one for 3,700 acres along Hungar's Creek, or Wissaponson Creek, as it was then known, by order of the Court at James City, to the Governor, Sir George Yeardley. "Certain others have planted there (on Eastern Shore) but no Pattents have been graunted them, the Companies and Secretaryes Tennants were alsoe there seated, but no land ordered, to bee laid out for them, as in the 4 Corporacons."¹

From 1626 on, land patents were issued in great numbers.² Many of those then living on the peninsula received grants of land and many new settlers began to arrive. Small tracts of the Secretary's land were leased for short terms, several of the first lessees being Nicholas Hoskins, yeoman, 20 acres, Feb. 1st, 1626; Clement Dilke, Gent., 20 acres, Feb. 6th, 1626; John How, Gent., 30 acres, Sept. 20th, 1628; William Smith, planter, 100 acres, Oct. 15th, 1629. Most of the leases were for a period of ten years. Some of the first patents were: Captain Thomas Graves, Ancient Planter, March 14th, 1628, 200 acres; William Andrews, planter, and Roger Saunders, mariner, 100 and 50 acres respectively, in March, 1628. In 1632 John Neale received a grant and Thomas Savage, carpenter, was granted 100 acres.³

By this time, people had begun to flock to the Eastern Shore and take up the rich land there. The more independent pushed far up the peninsula and settled along the many creeks and bays, both on the sea-side and bay-side of the peninsula. So numerous had the inhabitants become by 1629

¹Hotten's Immigrants, Patents Granted up to 1626, p. 274.

²See Abstracts from Va. Land Patents in Appendix.

³There were two Thomas Savages then on the peninsula.

that regular representatives were sent to the Assembly from that time on. In the Assembly of 1629, "For the Easterne Shoare noe burgesses did appear,"¹ but (in the Assembly of 1629-30, Accomac was represented by Captain Thomas Graves, Captain Edmund Scarburgh, Obedience Robins and Henry Bagwell.²) The Assembly of 1631-2 (in which Accomac was represented by Captain Scarburgh and John Howe³) enacted a law, restricting intercourse between the people and the Indians, and imposing a penalty of one month of service upon any free man and twenty stripes upon any servant who should break the law. The "Easterne Shoare," however, was excepted from the scope of this rigid statute, but the commanders of the settlements in Accomac were cautioned to be friendly with the natives, yet on their guard.⁴ This is but additional evidence of the amicable relation which existed between the Indians of the peninsula and the whites.)

(Great inconvenience was now experienced by the people of the Eastern Shore by reason of their having no court. It was necessary for them to go to James City or Elizabeth City, a monthly court having been established at the latter place in 1624, whenever they desired to seek redress at the hands of the law.) As a result of such a condition, poor persons found themselves without redress in many cases, and their inability to defend themselves being known, they were frequently imposed upon by their stronger brothers. The need of local adjudication in small matters, wherein the parties could ill afford to repair to the courts across the bay, grew with the increasing population, and in 1632 a Monthly Court was established in Accomack.⁵

¹Hening, I, pp. 137-9.

²Hening, I, pp. 147-9.

³Hening, I, p. 153.

⁴Hening, I, p. 167.

⁵Hening, I, p. 168.

(The Court consisted of a presiding officer, styled at first the Commander of Acchawmacke, and six Commissioners, who were his coadjutors. In the absence of the Commander, one of the Commissioners presided. Obedience Robins was the first Commander.) He was succeeded after several years by William Roper and he by Nathaniel Littleton. (At later periods, Robins served two other terms as Commander.) The first Commissioners were Captain William Clayborne, Captain Thomas Graves, John Howe, Gent., Captain Edmund Scarborough, Roger Saunders, Gent., and Charles Harmer, Gent.¹ Henry Bagwell, Gent., was the first Clerk of Court and held office continuously until 1640. The Commissioners were assigned to the command of the various plantations or districts and were men of high military authority, though there was no such thing at the time as a regular army organization. (The Commander, in addition to the performance of his Court duties, was required to provide ammunition and to levy forces to repel the attacks of the Indians from the North; to drill the men under his command, and to hold musters of the men, women and children of the Plantation on "holy dayes."² The form of commission, issued to the Commanders or Justices, had quite a military phraseology, for they were authorized to "command the several plantations and inhabitants within the same." They were also given the authority "to doe and execute whatever a Justice of Peace or two or more Justices of the Peace, may doe."³ The jurisdiction of the Court in which they sat as Justices was limited to petty cases arising on the Eastern Shore, in which the amount in controversy did not exceed one hundred

¹Hening, II, p. 170. Also Accomac County Records, Vol. I, 623-40, at Eastville and copy in Va. State Library.

²Hening, I, pp. 126, 127, 140, 175.

³Hening, I, p. 132.

pounds of tobacco, and to the punishment of offenses not involving life nor limb.) (The Court was able, however, to exercise much ingenuity in the selection of punishments. Fines, stripes, ducking, stocks, the pillory, lying neck-and-heels together at the church door, doing penance by making confession while standing in white sheets on stools in the church; these and like devices made up to the Court the power denied it over life and limb.¹)

It is worthy of note that the first pages of the Accomac Court Records are not filled with any grotesque decrees. On the contrary, the first meeting of the Commissioners was devoted to more lofty matters. Since the following is a copy of the first page in the oldest court record in Virginia, and with the possible exception of the Plymouth Records, the oldest in English America, it is set out in full.

"A COURT HELD AT ACCHAWMACKE

7TH DAY OF JANUARY, 1632

Present, Capt. Thomas Graves
Capt. Edmund Scarborough
Mr. Obedience Robins
Mr. John Howe
Mr. Roger Saunders

"It is ordered by this court that the now church wardens shall have power to distrayne upon goods and chattels of all such of the inhabitants of Achawmacke that have not yet fully paid their duties of corne & tobacco unto the minister according to an Act made by the last Genall Assembly dated the 4th of September, 1631, and that the said church wardens deteyne the said goods & chattels until satisfaccon be made according to the tenner and intent of the said Act."²

¹Justice in Colonial Virginia, Chitwood, p. 89.

²Accomac County Records, Vol. 1632-40, pp. 1-2 (Eastville and the copy in Va. St. Library).

While the oldest records of the County have been burned or lost, (the proceedings of the Court from 1632, ten years before the name of the peninsula was changed to Northampton and thirty years before it was divided into two counties, have been preserved), and are now, as has been stated, possibly the oldest court records in Virginia. Those who examine these records, says Bishop Meade, are struck with nothing so much as the penitentiary discipline which they exhibit, more like that of the early ages than is to be found in Protestant times and countries.¹ They abound in legal curiosities. The court was strict and never failed to administer justice to the best of its ability. (The scandal-monger, the liar, the drunkard and the common scold, fared badly. The facts of a number of these remarkable old cases are given in order to throw light on the character of the people of the time.)

(“Itt is thought fitt & soe ordered by this Cort that John Parramore for his unlawful swearing in a contemptuous manner in the fface of the Cort shall set by the heeles in the stockes for the space of one Complete houre” and on June 9th, 1638, it was “Ordered that John Parramore shall sett by the heeles in the stockes att the tyme ofe Devyne Serviss upon the next Saboth daye ffor being drunke in the fface of the Cort.”)

(Upon the 2nd day of August, 1641, Goody Curtis was trying to milk her cow in the cowpen of the Widow Taylor, but the cow was not used to that pen and became restive. Goody lost her temper and cross words passed between her and Mrs. Taylor, who was looking on and no doubt making silly suggestions as women are wont at times to do. Thereupon the good ladies fell to calling each other bad names,

¹Meade's Old Churches, Ministers and Families of Va.

ending in Mrs. Taylor smacking Mrs. Curtis's face, for which breach of the peace, the Court "Ordered that the Widow Taylor shoall pay unto John Curtis or anie other for his use, one potte of milk per daye, at the cowpen of the Widdowe Taylor until the last of September next, and pay all charges expended in this suite."

(On February 19th, 1634, "John Wattam, aged 24, Randall Revell, aged 21 years, and John Ford, aged 25 years or thereabouts, sworne and examined, saye they heard Henry Charlton saye, that if he had had Mr. Cotton (the minister) without the church yeard he would have kickt him over the pallyzados, calling of him black rotted raskoll. Upon the complaynt of Mr. Cotton agst the sayd Charlton, and the depositions above expressed, it is ordered that the syd Charlton shall for the syd offense buyld a pare of stockes and sett in them three sevrall Saboth dayes in the tyme of Devyne serviss, and there ask Mr. Cotton forgiveness.")

In the records for the 8th of September, 1634, we find:

"At this Cort Edward Drew preferred a petition against Joane Butler for calling his wife . . . and upon a dew examination & the depositions of John Halloway and Wm. Baseley who affirmith the same on oath to be true, that the sayd Joane Butler used these words. Upon dew examination it is thought fitt by this Board, that syd Joane Butler doe acknowledge to have called Marie Drew . . . & hereby I confess I have done her manifest wronge, wherefore I desire before this Congregation that the said Marie Drew will forgive me, and also that this Congregation will joyne and pray with me that God may forgive me." The penalty provided by the Court in case Joane should fail to retract her rash statements as directed was that she should be "drawne across King's Creek, at the starne of a canew." She evidently preferred the latter punishment, for at the very next Court, Thomas Butler, the husband of Joane,

caused Marie Drew's arrest and upon trial the same sentence was meted out, "Or else she was to undergo the same punishment which Joane Butler hath suffered."

(June 3rd, 1642: "Whereas Robt. Wyard hath in a most disgraceful and barbarous manner blemisht the reputation of Alice Traveller the wife of George Traveller in the most base and ignominious language, by which defamation hath taken away the reputation of the syd Alice. It is therefore thought FFitt and requisite and accordingly ordered that the syd Robert Wyard shall stand three several Sandayes in the time of Devyne serviss before the face of the whole Congregation in a white sheet with a white wand in his hande which are to be provided by the Church wardens of this County and there shall aske the said Alice forgiveness in form and manner as shall be dictated unto him by the minister of this County of Northampton." This same Robert Wyard later stole a pair of pantaloons and was sentenced to appear in church for three Sundays with a pair of breeches tied around his neck, with the word "Thief" written upon his back. Mrs. Traveller, must have been a very fascinating woman. She was married four times, in each instance to a very prominent man; first, to George Traveller; second, to William Burdette; third, to Captain Peter Walker; and fourth, to General John Custis of "Arlington." She died about 1658-60. Concerning her second husband, there is a remarkable entry in the records. "Thomas Butler, aged 27 yeeres; William Payne, aged 27 yeeres, sworne and examined as followeth: These deponents sayeth that, Mr. George Scovell did laye a wager with Mr. Mountney, 10b. starlinge to 5b. starlinge, calling us to witness the same, that Mr. William Burdette should never mach in wedlocke with the Widdowe Sanders while they lived in Virginia. Soe the syd Scovell, not contented, but would laye 40b. starlinge more to 10b. starlinge that the syd Mr. William Burdett should never have the Widdowe Sanders.")

In 1643 the court inflicted punishment on one Richard Ruckland for writing a slanderous song on one Ann Smith,

by ordering that "at the next sermon preached at Nassawattocks, he shall stand during the lessons, at the church door with a paper on his hat, on which shall be written 'Inimicus Libellus,' and that he shall ask forgiveness of God and also in particular of the said defamed Ann Smith."

In 1655 the witch craze seems to have extended to the peninsula and was duly taken cognizance of by the court, for at that time the Rev. Francis Doughty had Barbara Winbrow brought before the Justices and charged her with the "guilt of witchery." She had already been acquitted by the General Court of a charge of sorcery.¹

In 1664, Captain John Custis being High-Sheriff, there were eight presentments for violations of the seventh commandment, one for swearing, one for not attending church, and two for playing cards on Sunday. For more serious offenses the accused was sent to James City to be tried by the Governor and Council, who constituted the Court of Appeals. There appears to have been but one sentence of death imposed by the authorities of the Eastern Shore, prior to 1690.

The first board of Commissioners met in a log cabin at Old Plantation, but soon after the creation of the Monthly Court in Accomac, the right of trial by jury was instituted, whereupon the cabin could not conveniently accommodate the increased number of persons in attendance upon the terms of court. From this time on, the Dinner or Poynt House at Old Plantation and the ordinary of Walter Williams at Nassawattocks, or Bridgetown, as it is now called, were used as temporary court-houses, until the regular County Court Houses were built.² The Holt House, which stood on the site of the old Taylor House in Eastville, was frequently employed as a place of meeting for the Court. The site of

¹Northampton County Records, Vol. 1657-64, p. 18.

²See subsequent chapter for building of Court-Houses.

Eastville was then known as "The Horns" from the fact that Hungar's Creek, near which it is situated, has two branches or horns. The one nearest Eastville was called by the Indians, Wissaponson or Wiscaponson Creek, the other, Rocky Branch.¹

On December 10th, 1633, the Secretary of the Colony was given power to lease his lands in Accomack for periods not to exceed twenty-one years; and during the same year the first land was patented on the sea-side. It should be understood that locality on the peninsula is designated as bay-side or sea-side, according to which body of water the nearest creeks flow into. From the earliest times, there have been thoroughfares known as the bay-side and sea-side roads, running from Cape Charles into Maryland, which in places are several miles from either shore.

¹Chancery Proceedings, Vol. I, Land Causes, p. 267. Northampton County Records. Also Deed, March 1688, Vol. XI, Deeds, Wills, Etc., p. 207.

V

THE KINGDOM OF ACCAWMACKE AND THE ABORIGINES

Accomac means the "other-side-place," or "on-the-other-side-of-water-place."¹ In the Massachusetts language "ogkome" or "akawine" means "beyond"; and "ac," "aki," or "ahki," in various Algonquin dialects, means "land." According to Dr. Wm. Jones, the term is probably akin to Chippewa "ugaming," "the other shore," and to the Sauk, Fox, and Kickapoo "ug'amahegi," "ing" in the one case and "gi" in the other being variations of the same suffix expressing "place where."²

The Virginia peninsula was not the only locality named Accomack by the Indians, for referring to different places in New England in 1614, Smith called the present site of Plymouth, "Accomack." In referring to the various Indian Settlements along the New England coast, he wrote:

"The next I can remember by name are Mattahunk, then Tottans, then Accomack, then Chowan.³ And in his general description of the country is to be found the following passage:

"Then come you to Accomack, an excellent good harbor, good land and no want of anything but industrious people."⁴ Later on Smith mentions that Prince Charles changed the name of Accomack to Plimouth.⁵ As late as 1640, the name

¹Trumbull.

²Hand book of American Indians, Vol. I. Bureau of American Ethnology.

³Smith's History of Virginia, p. 192.

⁴Ibid. p. 205.

⁵Ibid. pp. 699-700.

Accomack as applied to the country about Plymouth, Massachusetts, was in use among the New Englanders and Indians as illustrated by the following:

“ ‘Owsamekin, the sachem of Accoomack on this side of Connecticut, came to the governor, etc.’ ”¹

This similarity in the names of the New England and Eastern Shore Indians indicates a close relationship between the Powhatans and the Massachusetts.

It is a remarkable fact that the two oldest sets of court records in the United States to-day are to be found in the two Accomacks. Those of Plymouth are said to date from 1629, but are not complete for the first few years, while those at Eastville, the present seat of Northampton County, Virginia, date from 1632 without a break.

To the early colonists of Virginia, the Indians of the Eastern Shore peninsula were commonly known as Accawmacks. That one name embraced all of the divisions and sub-divisions into families through which the peninsula natives as a tribe had passed. Unfortunately Verrazano did not mention, in either of the two letters which he wrote in 1524 describing his visit to the Eastern Shore, the name which the natives bore, nor a single word of their language.²

When Smith first landed at Cape Charles in 1608, he was met by (Kictopeake, the brother and Prime Minister of Debedeavon, the Werowance, the “laughing King of the Accomacks,” whose principal village, Accomack, was probably located some distance inland from the bay on the shore of Cherrystone Creek.³) Smith tells us of another tribe on the Eastern Shore, the Accohanocks, whose town was also

¹Winthrop's History of New England, Vol. I, p. 317. Ibid. Vol. XI, p. 476.

²Early Voyages to America. Conway Robinson.

³Jefferson's Notes.

of the tribal name. The Accomacks, he says, were able to muster eighty and the Accohanocks forty warriors.¹ Both tribes spoke the language of Powhatan, who ruled over them as King, but this rule or dominion over them by Powhatan, though expressly stated by Smith, must obviously have been more in the nature of an alliance than an absolute dominion. The breadth of the Chesapeake, at this part of it, between Powhatan and the Kingdom of Accawmacke, must have rendered his power over it very feeble, especially when we reflect upon the difficulty of navigating such a water with Indian canoes. This receives some confirmation by the following remark, "there may be on this Shore (meaning the Eastern Shore of Virginia) about two thousand people. They on the west would invade them, but that they want boats to cross the bay."²

It is possible, however, that Powhatan might, at some time before, have made a conquest of the Accawmackes. He did not gain them by inheritance, if it be true, as is said, that the countries inherited by him from his ancestors lay only about James River and Pamaunkee.³

It is very probable that the Nantiquaks (Nanticokes),⁴ whom Smith mentions as inhabiting the country adjacent to the Cuskarawaoek River (Nanticoke), were once a tribe of the great Lenape Nation, forced northward by the Powhatans. From the fact that Smith expressly mentions that the natives who inhabited that part of the peninsula, which is now a portion of Virginia, belonged to the Powhatan Confederacy and spoke that language, it would seem reasonable to suppose that the Indians living in what is now Maryland were not of

¹Smith's History of Va., Vol. I, p. 120, ed. 1819.

²Smith's History of Va., Vol. II, p. 64.

³Smith's History of Virginia, Vol. I, p. 142.

⁴Nanticokes—"Tide-Water People." (Hendren.)

the same race. But as Smith did not explore any part of the present territory of Maryland on the Eastern Shore immediately adjacent to the present division line between Maryland and Virginia, nearer than the Nanticoke River, we are unable to tell exactly how far Powhatan's territories on the Eastern Shore extended northward, or whether they comprehended any of the Indians north of the present Virginia boundary. Although Beverley tells us that the Indians who inhabited Gingoteage (Chincoteague Island), in 1705, were joined with a nation of Maryland Indians, he did not mention any difference between their language and that of the other Indians of Accomac and Northampton.¹

Now if Verrazano had mentioned the name of the Indians inhabiting the peninsula in 1624, we would have at least known whether or not the Powhatans came before or after that date and whether the natives of his time were of Lenape or Algonquin extraction.

The student who desires to study the ethnology of the Accomack and Accohanock Indians will be disappointed and surprised by the meagreness of the information at his command. Practically nothing is known of their origin except that they were of Algonquin descent. Nothing is known of their history prior to 1608.

When Smith first visited Accomack, Debedeavon, the Laughing King, was Lord of all he surveyed, for the western shore, where his overlord Powhatan headed the great Indian Confederacy, was just beyond the reach of human eyes. The occasional glimpse which he caught of Cape Henry served, no doubt, to remind him of a certain dependency which otherwise he would have forgotten. The Accawmacke In-

¹Beverley's History of Virginia (Edit. of 1722), p. 199.

For full treatment of preceding subject, Bozman's History of Maryland, Vol. I, p. 162 et seq.

dians, in their isolated country, were troubled very little by the cares and worries of their brothers across the bay and intercourse with them was almost impossible, for the light canoes of the natives were not suited to voyages across the broad, and at times angry, waters of the Chesapeake. The peninsula Indians were then, though kin by blood and governmental ties to the natives of the Western Shore, a tribe all to themselves. The conditions obtaining in their little kingdom were such as would naturally calm the fiery and warlike character. Life with them was not one long struggle for existence against marauders from other regions. They were not born upon the warpath, reared amidst the din and strife of contending tribes, nor of necessity tutored from infancy in the cruel arts of savage warfare. Their villages seem to have been more or less permanent, for their restricted territory did not afford unlimited acres over which they might rove. Soon, therefore, the nomadic habits of their forefathers were out-bred as the result of their territorial circumstances, and with this element of native character went many essential qualities of the nomad. They neither intruded upon the domains of others, nor by reason of their isolation were they intruded upon; hence the causes which made a warrior of every native on the mainland were absent in their case.

The foregoing reasons for the peaceful nature of the Eastern Shore Indians are not the only ones. Proper weight must be given to the effect of the mild climate of the peninsula and the generous soil, which yielded abundant supplies of grain and tobacco, with little or no work. And when the crop failed from some cause or other, they were not forced to make forays against their neighbors nor send out their young men on foraging expeditions into the territory of the enemy, a practice which was a potent factor in the training

of the warrior. What need of such measures when their whole coast was one long line of oyster rocks and clam banks; when every marsh and island was alive with wild fowl! The familiar honk of geese had hardly ceased before the shrill cry of the Curlew announced his Northern flight. Ducks of every variety congregated along the sea-side during the winter, and early in the spring were supplanted by the Willet, the Plover and the Snipe. Unlimited shoals of fish passed through the inlets, into the creeks and the nets of the natives. Terrapin and shrimp abounded in the marshes and neighboring waters. Even deer and bear found their way down from the North.

When we consider then how lightly the iron hand of winter rested upon the peninsula; how bountifully nature supplied these natives with every luxury; the absence of enemies to disturb their quiet and happy life; it is small wonder that they differed from their hard-pressed brothers across the water. As savages, they were degenerates. As a people for pioneers to come in contact with, their mildness and lack of resistance made them a most desirable pattern for their race in the eyes of the white man.

In 1621, when John Pory visited Debedeavon, he found that the tractable old fellow shouldered upon himself very few of the cares of government, but left the management of affairs almost entirely in the hands of Kictopeake, his brother. Perhaps after all the King was more lazy than humorous and befriended the whites because it was easier than fighting them. (He explained to Pory that, seeing his people were better controlled by his younger brother than himself, he voluntarily surrendered the reigns of government and devoted himself exclusively to husbandry and hunting.¹) Ah,

¹Observations of Master John Pory, Smith's History of Va.

indeed, he was a true Virginian of the old school! Yet explained the old Indian, (Kictopeak is as faithful and vigilant a councilor, as he is an affectionate brother, bearing the greater burden in government, though the lesser honour.¹)

The name of Okiawampe appears frequently in the county records of the early days, as that of a native ruler. The Indians were superstitious about their secret or religious names, and (it may be that Okiawampe was the same person as Debedeavon,) but the public acts of the two relating to the whites are so intermingled, that it is difficult to determine whether they were the same personage, or whether Okiawampe was the heir and successor of Debedeavon, or brother and co-ruler, as was Kictopeak.² At any rate, Okiawampe died in 1657, and his will is on record in Eastville.³ It is a short but pathetic instrument by which he directed that his daughter should rule his people, and that certain of his great men should counsel and advise her so that she might rule her kingdom well. Even though the poor old King had been disturbed in his hunting by Richard Hill, who pointed a gun at him,⁴ he cautioned his daughter to preserve the good will of their white friends as he had done. What a travesty upon friendship was that of the white confiscators who were fast driving his people from the face of the earth! Call it friendship or good judgment, as you please, on the part of Debedeavon, his entire energies seem to have been bent upon the maintenance of amicable relations between his people and the whites. This was shown by an instance when a white man and a boy were killed by some prowling Indians up the

¹Observations of Master John Pory, Smith's History of Va.

²See address of T. T. Upshur, Va. Mag. of Hist. and Bio., Vol. IX, p. 91.

³See Vol. 1657-1666, Northampton County Records. Will dated April 22, 1657.

⁴Northampton County Records, Vol. III, May 7, 1650.

bay. The King at once sent a deputation of his warriors from Nandua to Accomack with two Indians as a reparation. They brought also quantities of roanoke and beaver skins as a peace offering. When the interpreter delivered the King's message to the commander, Col. Obedience Robins, the latter said, "God forbid that I should take an Indian for a white man," and ordered the deputation to embark in their canoes with the human sacrifices. The Indians hesitated to return without having complied with the royal mandate, and seeing them tarry about the settlement for several days, Daniel Cugley, who married Hannah Tyng, the widow of Thomas Savage, and at whose place the Embassy had landed, appropriated the roanoke and pelts and set the peace Ambassadors to work on his farm.) When the Commander heard of Cugley's act, he was furious, arrested Cugley and sent him to Jamestown for trial. Poor Cugley died shortly after this unfortunate affair, and never forgave the court and Colonel Robins for their treatment of him.¹

The settlers in turn evidently appreciated the advantage of Debedeavon's Friendship, as shown by the following:

"Whereas Wathiwamp (the same name as Okiawampe and Wachiwampe) Kinge of the Occahannoeks Indjans, he sent his complt to this Cort that Richard Hill, Overseer unto Mr. Edm. Scarburgh, his servants inhabiting all Occahannoche, has lately presented a gun at the breast of the Sd Kinge of Occahannoche, whereby he was disturbed in his hunting, Upon consideration of ye badd Consequences wch maye ensue upon such unadvised p'actices, it is thought fitt & ordered that for future tyme noe Englishman shall disturb, molest, or act anything ag'st the sd Indyan Kinge to hindr him in his huntinge, as they will answer the same."²

¹Northampton County Records, Vol. II.

²Northampton County Records, Vol. III, pp. 207-212. May 7, 1650.

Colonel Scarburgh seems to have had the propensity of disturbing the Indians, and some of his hatred of them was, no doubt, transmitted to his servants.

As early as 1640, the authorities had shown their desire to protect the Indians, for that year Philip Taylor, of Kent Island fame, attempted to encroach on a tract of land along Mattawaman Creek which had been laid out for the Indians. Upon their complaint, the matter was investigated, and we find the following entry in the court records of the year:

"It is thought fit & ordered by this Court That Philip Taylor nor any other person or persons belonging to him, the said Taylor, shall disturb or molest the Indians, formerly seated at Mattawan Creek, neither for any cause or reason, to clear or work upon the ground, whereon they are now seated, by reason Nath'l Littleton, Argal Yeardley, Capt. Wm. Stone, Mr. Wm. Stone, & Capt. Wm. Roper have taken special charge of the place, Therefore if the said Indians be displaced of the 2,000 acres of Land, which Mr. Taylor doth lay claim to, they can in no wise permit; and furthermore that the plantation of Phillip Taylor, can not be impaired thereby, he being seated on one side of the Creek & they on the other side, & not hitherto hath either built on that side the Indians are appointed to dwell on."

While there were a number of small communities or villages of Indians (referred to hereafter, for convenience, as tribes), the Eastern Shore was really a Kingdom under one ruler, who held his court at Great Nusswattocks, or Nandua, as it is now called. There the King summoned his great men or tribal chiefs to meet in council; and there he received his royal tribute of eight bushels of corn and three arrow-heads per year from each tribe. It was at these state councils that the various policies of the Kingdom were discussed and determined upon, and no doubt ambassadors were there

appointed to attend the court of Powhatan. History tells us that in 1622 Opecanacanough sent messengers to the Accomack Councils, with orders for his dependents or confederates to gather a certain poisonous herb, which grew on the Eastern Shore, and nowhere else, and send it to him, so that he could poison the wells of the white men. But a friendly policy had already been defined by the King, who not only refused to aid in the massacre, but informed the whites of the impending storm.¹

It seems that the friendship of the natives was further secured about this time by a promise on the part of the whites to aid the Accomacks in making war upon their enemies, the Wicocomoco, who dwelt far up the great bay.

The disposition of the various families who, in the old records, are frequently graced with the name of "nations," is interesting.

In Northampton, as now distinguished from Accomac, were the Gingaskins or Gingascos, probably the largest tribe on the peninsula and the last to disappear. Their main village or town was located upon the "Pocahontas" farm, recently in the possession of Mrs. McNutt; and their territory extended from the Indiantown landing on that farm, past the present site of Eastville Station, some distance towards the "Horns."²

Very few traces, if any, of these Indians remain, but it is recounted how as late as 1862, one Mollie Stephens—when she became tipsy, as she frequently did—would shout, "I'm the Ingin Queen!" and persons much older than herself said that she was doubtless the daughter of the last Gingaskin

¹See previous chapter on the Plantation of Accawmacke.

²Eastville.

King—a queen without maids of honor to minister unto her—a sovereign without vassals or kingdom.¹

The Gingaskins seem to have had several branches or outlying families. First, near Cape Charles, on Magothy Bay,² was a small band believed to be the Magothas. Though the name of their King is unknown, their home was on the farm formerly known as the Edward Fitchett place. Next were the Mattawames under King Pomoccomon, a very small and poor band who were settled about Old Town or Hungar's Neck. They soon became a charge upon the whites and disappeared. Then there was King Tepiapon who ruled the small band of Nuswattocks of Elliot's Neck.³

Over the present boundary of the two counties were the Accohanocks⁴ and Currattocks,⁵ the subjects of King Andiaman. Their villages were near the extremities of Scarburgh's and Craddock Necks. "Until recently," says the late Mr. T. T. Upshur, our authority on these Indians, "I have believed that Craddock Neck was so called in honor of Lieutenant Craddock, who commanded the first detail of salt

¹Upon one occasion, when decidedly unsteady from too many potations of "fire-water," and when she had, judging by the dusty and muddy appearance of her gown, been down in the road, she came dancing through the piazza of the hotel in Eastville, where some gentlemen were sitting. Among them was a certain gentleman, afterwards a judge, attired as usual, in the most tidy and careful manner in white linen trousers and Marseilles vest. As Mollie passed him she shouted, "Ugh! ugh! I'm the Ingin Queen! I'm the Ingin Queen!" and losing her balance at that moment, sat down suddenly in his lap. This raised a great laugh at his expense, and he became so much incensed that he caused her arrest and incarceration, but soon recovered his temper and had her released.

²Pronounced Mag-goty. There is a beautiful flowering pea which grows along the sea-side of the peninsula, known as the Magothy Bay Bean. The blossom is yellow. It is considered a valuable fertilizer when plowed under.

³Nuswattocks, Nassawaddox, etc.—A stream between two streams (Brinton).

⁴Accohanock or Occohannock—Narrow and winding stream.

⁵Crnddcox.

makers at Dale's Gift in 1616, but I have seen an item in our court records, the original of which was evidently written by Parson Teakle—in which he mentioned his plantation on Curratock—showing that the same is really the Indian word."

Next came the village of Debedeavon, situated on Nandua Creek, State seat of ye Emperor of ye Easternne Shoare and King of ye Great Nusswattocks, as he is styled. Then comes the village of Ekeeks, King of the Onancocks, on the present Onanock Creek.¹

Ekeeks, judging from the frequency with which his name appears in the court records, was probably the most important King after Debedeavon, Kictopeake and Okiawampe.

Nowmetrawen ruled the Chesconnessex, on Chesconnessex Creek. Parahokes was King of the Chincoteagues, on Chincoteague Bay. Awascecencas was King of the Kickotanks, Conantesminoc of the Matchateagues, and Matom of the Matomkins, their respective localities being indicated by the tribal names. These were all small bands. (The sea-side tribe of Matchipungoes was comparatively large and had several villages, one at or near Wachapreague, another lower down the neck, and yet another on the Woodlands and Brownville farms in Northampton.²)

Although the Matchipungoes were famous for the manufacture of roanoke, or rawrenoke,³ extensively employed by the natives even on the Western Shore for currency, they were very poor. (All along the sea-side the Indians conducted

¹Foggy Place.

²Dr. Brinton says that Matchapungo means fine dust, or flies, and, as the name belonged to Hog Island as well as to the river and to the Indian tribe, we may reasonably infer, in the absence of anything to the contrary, that the sand or mosquitoes on Hog Island gave rise to the name. (Upshur.)

³Roanoke—thing or place of shells. (Hendren.)

a regular mint for turning out this shell money; yet their chief articles of traffic with the whites were beaver skins. The wealth of these poor sea-side savages was all in nature's storehouse, and while that was filled with luxuries to overflowing, the very ease with which life was surrounded seemed to sap the energies of the sea-side Indians to such an extent that they were destitute of any material means. They lived mainly on fish, oysters and clams, as the great piles of shells near the native villages still attest. Yet deer, bears, wolves, wildcats, and small game were plentiful, and in one place it is recorded that an Indian sold three moose skins.¹ Game rapidly diminished after the arrival of the whites with their fowling pieces and shot, and hunting became unprofitable on the part of the natives.

Lying on the East and extending well north of Chingoteague Island, is the Island of Assateague. Between the upper end of this large Island and the Maryland Shore, is what was known as Assateague bay, but now called Chingoteague Sound. The Indians who inhabited this region were unquestionably nearly related to the Nanticokes and not connected with the Powhatan Confederates of the lower peninsula. Being more warlike, they resisted the encroachments of the Accomack settlers from the first. At an early date they complained to the Land Commission of Maryland that one William Whittington, who claimed that the lower end of Assateague Island was in Virginia, had settled among them and upon their lands.² These Indians appear very little in the records of Accomac or Northampton, but are constantly referred to in the Maryland records, for they

¹~~These skins must have been brought from the far North.~~

²See Maryland Archives, Proceedings of Council, 1667-1687-8.

frequently sought the aid of that province to stop the advance of the white man from the South.¹

An early record describes the Assateague tribe as composed of the Assateagues, Transquakin, Choptico, Moteawaughkin, Quequashkecaquick, Hatsawap, Wachetak, Maraughquaick and Manasksons, all under the Emperor of Assateague.² It was these Indians who gave Colonel Scarburgh and the Eastern Shoremen so much concern in the early days. Then there was another tribe located along the Pocomoke River and the northern boundary of Accomac, which gave some trouble to the whites of the Eastern Shore. These Indians also sought aid from Maryland. There were five several branches of this tribe, viz.: Pocomokes, Annamessex, Manoakin, Nasswattox, and Aquintica seated at a place called Askiminokonson. This Nassawattox branch may have been related to the family of similar name in Northampton and Accomac, but at any rate was separated from it in their alliance with the more northern tribes. On May 6th, 1686, the Kings of Pocomoke and Assateague, with other important men of the northern Indians, presented themselves to the Land Office Commissioners of Maryland, and after exchanging presents, etc., complained that Chas. Scarburgh, of Accomac, and others, had seated upon a part of their lands called Askiminokonson Neck; that Captain Osbourne and Mr. Whittington had taken up land within their bounds; and that their crops were constantly injured by the white men's cattle which crossed the two bridges over the Pocomoke. (But these Indians did not fall back upon peaceful resort to the Maryland Courts until Conjurer Scarburgh, "the bad white chief," had exhausted their military prowess. His name was a terror along the border. The mere mention of it cast a magic spell over the red men.)

¹Maryland Archives, Proceedings of Council, 1667-1687-S, p. 480.

²Ibid.

"In the moon of Roasting-Ears (August) palefaces from the land of the Accomacks wanted war. The black wampum-belt, the red hatchet painted on it, was sent from chief to chief along the sea-side and over beyond to Pocomoke. The King of the bad whites was angry, and came with horse and guns. After awhile the cloud went down. The Quackels (Quakers) came into our land. 'The bad white chief' and his friends had driven them there. They loved peace. But at one time he put on his war paint and swam the Pocomoke and followed them to Pocomoke. He hated Quackels. Once we thought of killing all the whites when in a quarrel and divided. But the Quackels were kind to Indians. Then the great father across the bay said the bad white chief must stay beyond the marked trees."¹

The foregoing is supposed to be the narrative of a Pocomoke Chief who refers to Conjuror Scarburgh.²

The number of Indians on the Eastern Shore was stated by Smith to be about two thousand at the time of his visit in 1608. If this estimate was correct, there was, for natives, a fairly dense population at the time, when we consider the size of the peninsula. But as the white men came in ever increasing numbers, the Indians gradually disappeared. Vice and disease did their work and the irresistible surge of civilization wore away the native population. (In 1667, a sailor from the Bermudas landed at Accomack, ill of smallpox. He was isolated by the surgeons and placed in a log house in the woods; but in a time of delirium he escaped from the cabin, and, wandering to the Indian town, inoculated that tribe or village, and from there the disease spread all over the Eastern Shore, leading to an awful mortality among the natives.³ It is said that the Indians ever afterwards believed

¹Days of Makemie, L. P. Bowen.

²See Chapters on Maryland Boundary and Quakers.

³See Order of Sir Wm. Berkeley, Northampton County Records, Vol. VIII, p. 19.

that the sailor had been sent among them by the whites to kill them.

But if the sea-side Indians were a race of lazy fishermen and huntsmen, and like the poorer class of clam diggers and oystermen, pot-hunters and 'longshoremens, who live along the marshes and on the islands to-day, were improvident and shiftless, the other Indians of the peninsula were not. (We have seen how Captains Martin and Savage found great supplies of grain among them, when the western country was starving, at a time when it was the custom of the Virginia Indians in general to raise only enough maize each season to last through the year.) (The Eastern Shore Indians alone seem to have exercised remarkable prudence and foresight in this respect, and to have laid by generous stores of grain as an emergency supply. Their methods of husbandry seem to have been more improved than usual among the natives, and they exercised far better judgment in the tilling of their soil. No doubt this was due to the permanency of their residence. The Indians of the western shore never knew when an enemy would swoop down upon them, destroying their crops and seizing their stores.) Hence they did not care to expend any more labor in the cultivation of crops than was necessary to give them a present supply.

It was not always an Indian enemy who preyed upon the natives. In Northampton, where the Indians were ever friendly and generous in their dealings with the whites and gave no trouble even through the dark and bloody days of 1622 and 1644, the settlers so encroached upon their rights, that in 1654, by general consent of the people, they were given the fullest protection against all intrusions on their grounds; and the right was granted to them to dispose of their lands by sale, upon certain conditions.¹) On account,

¹Hening's Statutes, Vol. I, p. 456.

quite probably, of the fact that the narrow extent of the Eastern Shore placed the tribe inhabiting that part of the Colony more at the mercy of unscrupulous white persons who were anxious to intrude on their hunting grounds, the assembly exhibited throughout the seventeenth century unusual care in furnishing them the protection they needed so much. In 1660, the Indians of Accomac complained that they had been deprived of their lands to such an extent that they were in a straightened condition, and they asked that proper measures be adopted to raise a barrier against the further advance of the English upon their property. The action of the authorities in response to this petition was highly significant. They were not content that the grounds should be laid off for the Accomack tribe by a surveyor of the Eastern Shore. Thinking that such a surveyor might perform the work to the prejudice of the Aborigines, instructions were given that the services of a resident of the Western Shore should be obtained, who would have no motive in determining the lands beyond a desire to execute the task conscientiously. The extent of the country to be assigned was to be sufficient to afford the Indians an ample subsistence without regard to what they could earn by hunting and fishing, and they should have no power to alienate it.¹ This prohibition upon the alienation of their lands was not extended in its scope to the Aborigines on the Western Shore until 1662.

In March, 1676, when the prospects of an Indian war greatly alarmed the people, it was provided that all who supplied the natives with arms, powder, and shot, should not only forfeit their whole estate, but suffer death in addition. The only persons allowed to furnish friendly Indians with match-coats, hoes and axes were such as had been nominated

¹Hening, Vol. I, p. 456.

by the county courts.¹ One of the first laws passed by the Assembly, controlled by Bacon, made all trade with the Indians illegal, unless they were serving in the war with the English, in which case, also, no weapon nor ammunition was to be given to them.² In the following year the right of absolute free trade was granted to the Indian population of the Eastern Shore.³ Certain places were now appointed as Indian marts, to which all Indians who were at peace with the whites were invited to come at specified times. These marts were situated respectively in Henrico, Isle of Wight, New Kent, Rappahannock, Lancaster, Stafford, Accomac and Northampton, and were to be open in March, April and May and in September and November in the fall of the year, the occasion for each being restricted to a day. For each mart an account was kept by a clerk appointed by the Governor.⁴

In 1677, each of the Indian towns, under the terms of a treaty of peace with the whites, with whom difficulties had existed for about twenty-five years, paid three Indian arrow-heads for their land, and twenty beaver skins for protection from the Indians of Maryland.⁵

The peaceful Indians of the Eastern Shore, among whom the first colonists of the peninsula settled, had greatly diminished by the end of the seventeenth century, and the dying out of the Savages was followed by the arrival of negroes in large numbers, of whom up to that time there had been but few. Robert Beverley, who wrote about that time, tells us that "in 1700, the Indians of Eastern Virginia were almost

¹Hening, Vol. II, p. 337.

²Hening, Vol. I, pp. 350-351.

³Ibid., p. 403. Hening, Vol. II, p. 410-12.

⁴Ibid., p. 403.

⁵Beverley's History of Va., p. 184.

wasted, but such towns and people as retain their names and live in bodies are hereunder set down; all of which together can't raise 500 fighting men." In Accomac, he says there are eight towns:

1.—"Gingoteague.—The remains of this town are joined with a Nation of Maryland Indians.

2.—Metomkin.—Which was much decreased of late by smallpox that was carried thither.

3.—Kicquotank.—Is reduced to a very few men.

4.—Matchapungo.—Has a small number yet living.

5.—Ocahannock.—Has a small number yet living.

6.—Pungoteague.—Governed by a Queen, but a small nation.

7.—Onancock.—Has four or five families.

8.—Chisconessex.—Has a very few, who just keep the name.

9.—Nandua.—~~A seat of the Empress—not above twenty families—but she has all the nations on the Shore under tribute~~

10.—In Northampton the Gangascoe (Gingaskins), which is almost as numerous as all the foregoing put together.¹

As late as 1812, however, there were a few of the Gingaskins holding land in common,² but by this time all tribal identity had been lost, and so mixed did the miserable remnant become by 1833, that they were driven off during the excitement subsequent to the Nat Turner Insurrection.³

¹Beverley's History of Va., p. 184.

²Schoolcroft, Vol. V, p. 36. (Ed. 1855.)

³For valuable information as to customs and habits of Early Virginia Indians, see Robert Beverley's History of Virginia. Also see Norwood's interesting account of his stay with the Kickotank Indians of Assateague Bay, Vol. III. Force's Collect. of Historical Tracts.

VI

ORIGIN OF THE PEOPLE

The pioneers of Accomack were, without exception, sprung from a sturdy English stock. A decade or more elapsed before the English gentry made its appearance. After 1630 large numbers of the latter class poured into the little sea-girt land. The influx of settlers was so sudden that the better class was not forced through the usual levelling process, when social barriers fall before the stress of common danger and enterprise. In general, it is only after the pioneer has been through the sieve, a period of toil and deprivation, that the elements of society become refined and segregated. But on the Eastern Shore, the generous hand of nature and aborigine, alike, combined to do away with the elementary process of colonization. The gentleman immigrant assumed his accustomed rôle from the first upon this virgin soil.

As a result then, of the easy conditions, a number of distinct social classes were to be found among the inhabitants as early as 1625-30. First there were the large planters, many of whom came from Northampton and Norfolk. They monopolized all the offices and controlled affairs generally. Next, came a class of carpenters, ship-builders, and mechanics of all trades, who acquired small land holdings, and gradually became planters of a second social order, comprising a sturdy yeomanry which exists to this day. The third class, and one which increased rapidly after the flood tide of immigration set in, was that of the huntsmen, fishermen, oystermen, and islanders, a race of dauntless seamen, unexcelled

in their special pursuits by any people in the world. Their very peculiarity brought them into such striking prominence that they seem to have impressed the historians to the utter exclusion of the other elements of Accomack society. The romance of the sea has ever proved attractive to the Eastern Shoreman, even of the higher classes, but the liberty of the vast marshes, the isolated islands, the secluded inlets, stocked as they were with fish and fowl, early attracted a class of lazy ne'er-do-wells, who soon degenerated into a lower order of 'longshoremen. A fourth, and small class, was that of the white servant. In general, the distinction was ephemeral, for but few whites who entered the service of another remained for a long period in this menial condition. According to his individual character, the servant, at the termination of his servitude, attached himself to the yeomanry or the 'longshoremen. It is impossible to judge accurately of the size of this class from the immigration records, for gentlemen were frequently listed as servants, and many young men of superior social position entered the service of another for a period long enough to defray by their labor the cost of transportation.

Owing to nearly three centuries of isolation, the population of the Eastern Shore remains more purely English in origin than that of any part of the world with the exception of England itself.¹ The county records of recent years contain names which centuries ago were identified with the social and political history of England and not to be found even on the western shore of Virginia.

In these records for the seventeenth century, we find such names as Washington, Scarburgh,² Goffigan, Tully, Spady,

¹First Railroad connection with Maryland, Delaware, and the North was established in 1884.

²Frequently spelt Scarborough and Scarbrugh.

Whittington, Poulson, Costin, Tatham, Carew, Goring, Southey, Wraxall, Parramore, Satchell, Fowke, Fitchett, Salisbury, Wise, Walpole, Hallet, Capel, Luddington, Cropper, Joynes, Severn, Sommerville, Dalby, Empson, Ratcliffe, Derby, Cade, Pitt, Mortimer, Fortesque, Somerset, Bloomfield, Coxton, Foxcroft, Marlow, Custis, Charlton, Horsey, Waples, Leatherbury, Upshur, Nottingham, and others of unmistakable origin, the majority of which are to be found to-day on the peninsula, and few of them elsewhere, unless directly traceable to the Eastern Shore.

The first mention of the name of Washington in any of the records of America appears in those of Northampton for September 5, 1636, when Jacob Washington was granted an execution upon the goods and chattels of John Forbush. Captain Roger Marshall had also lived there from early in the seventeenth century. Ann Southey, the wife of Nathaniel Littleton, stood as god-mother at the christening of his eldest son. The name of the first member of the Bushrod family to settle in Virginia appears in the records of Northampton as a merchant in 1644.

Many of the earliest names appear elsewhere in Virginia and in the United States in general, such as Robins, Kendall, Bayley or Bayly, Gillet, Blackstone, Savage, Bowman, West, Fletcher, Finney, White, Bowdoin, Wilkins, Douglas, Littleton, Harrington, Blake, Stanley Kellam, Kellar, Pitts, Waddy, Edmunds, Bell, Oldham, Doughty, Browne, Ames, Ayrs, Nelson, Mears, Mapp, Hopkins, and Hunt. The preceding are but a few typical Eastern Shore names. It would be impracticable to cite them all.

Observe that in these large lists of names not a Mac nor an Irish "O" appears. Indeed, Douglas is the only name of Celtic origin.

After two hundred and fifty years of association with the social and political life of the Eastern Shore, the Nottingham family continues to-day to be one of the most prominent families on the peninsula. Yet the name is practically unknown elsewhere in America. So numerous are the branches of this ancient family, that it has been said that one can make no mistake by addressing an Eastern Shoreman, if a gentleman, by that name, for if it is not his own name, it will probably be that of a near relative; and if he happens not to be a gentleman, he will be flattered.

If we examine the lists of inhabitants and tithables given in preceding chapters, it will be seen that, at an early date, a Frenchman or two, and a few Dutchmen and Germans had made their appearance; and before 1650, there was an enterprising Turk on the peninsula who was engaged in trade. It would be interesting to know if this character found his way into Accomack via the sea-islands where pirates and "light-fingered gentlemen" of all nations were wont to assemble.

By the year 1640, the Dutch traders had found the peninsula out, and a brisk trade immediately sprang up with the West Indies, and the Low Countries, as a result of which Dutch immigrants began to arrive in large numbers. We shall see that in 1653 there were so many natives of the Low Countries residing on the Eastern Shore that it was necessary to take steps to protect them from the hostility aroused by the war with Holland. In 1653, one of the most highly respected citizens of Northampton was Dr. George Nicholas Hacke, a native of Cologne. He had himself declared to be a German by the Court to avoid the obloquy of appearing before the indiscriminating citizens as a Dutchman. Some of the Dutch residents in 1660 were Hugh Cornelius Corneliuson, Hendrick Wageman, Daniel Derrickson, Peter Jacobson, Abram Van Slot and Abram Jensen. Many of the immi-

grants, though Englishmen, had settled in Holland before coming to Virginia; and such was the case with John and William Custis who arrived about 1640. These people must have brought numbers of the Hollanders with them. To this day, traces of Dutch blood are to be found on the peninsula, and there are a few Dutch names such as Sloat from Van Slot, and Belloat from Billiot.

In view of the extensive trade with the Dutch, both in New Netherlands and in Holland, it is a simple matter to account for their presence on the Eastern Shore. Indeed, Delaware, but a few miles north of Accomack, was claimed by the Dutch and the population there was largely composed of Hollanders.

While we search the pages of Virginia history, in vain, for more than a casual mention of this large foreign element of the Eastern Shore, and therefore of the population of the colony, yet there is another element, though of English extraction, which seems to have been totally neglected. It has long been the practise of Virginians to disregard any fact which seems to indicate the presence of any but cavaliers among their early colonists. Such an attitude is as absurd as the assertion by some that there were few cavaliers in the colony.

If one consults the various authorities, on the great Puritan movement, of the early seventeenth century, which led them to seek new homes in America, a movement which had its inception in a spirit of unrest, dating back for centuries before the Pilgrims landed at Plymouth, one must see that no common standard to which religion should conform had been established among them. Close upon their final liberations from the conventions and toils of Europe followed a process of segregation into small groups among the hordes of Puritan immigrants who had braved the Atlantic and landed upon the inhospitable shores of New England. Years of wrangling

among the factions followed, with the result that new settlements were established by the various discordant elements which branched off from the parent body.

While the New Englanders then, were splitting up into groups and groping in the frozen forests of the north for new homes, trading-ships from the sunny south were plying to their ports, exchanging the grain of the older colony for the Cod Fish of New England, and as we shall see, in a subsequent chapter, much trade was in progress between Accomack and New England as early as 1634.

In 1635, the whole Massachusetts colony was agitated by the migration of the inhabitants of Newtown, Watertown, and Dorchester to the Connecticut Valley. The attempts of the magistrates to divert the movement proved abortive, and many families, dissatisfied with present conditions, went forth in search of fairer fields and pleasanter surroundings.¹ No attempt will be here made to discuss the causes which led to this great movement and those to follow close upon its heels. They are simply mentioned to call attention to the state of unrest of the New Englanders at this time.² Co-existent with this spirit of unrest, due to the asperities of life in New England, both physical and social, there was unquestionably some strong influence which led numbers of the Massachusetts colonists farther south than the Connecticut Valley. While the subject is not mentioned by the authorities,³ yet there is something too suggestive about the appearance of such surnames as Cotton, Hutchinson, Charlton, Eyre, Eaton, Oldham, Stone, Neale, Andrews, Blackstone, How, and such christian

¹Osgood's American Colonies in 17th Century, Vol. I, p. 431.

²Ibid. Beginnings of New England, Fiske.

³The Puritan in Holland, England and America, Douglas Campbell; Beginnings of New England, John Fiske. American Colonies in 17th Century, Osgood. Neale's Puritans and others.

names as Obedience, Nathaniel, Joane and Prudence, in the records of Accomack about 1632-5, or at the time of general disruption and migration in New England, to be dismissed without careful consideration.

In the chapter on the Early Church, we shall see that Nathaniel Eaton, the first principal of Harvard College, fled to Accomack from Massachusetts. John Gookin, who sat as one of the arbitrators in a dispute between Eaton and the Rev. Mr. Rozier, was the brother or uncle of Daniel Gookin, buried in the Cambridge graveyard, and John Congan or Cogan, who brought suit against Eaton in 1646, was from Boston.¹ Captain John Stone, who behaved so badly at Boston and Plymouth, and was killed on the Connecticut River while returning to Virginia, had an estate on Hungar's Creek in Northampton County. He was the father of William Stone of Northampton, who became Governor of Maryland. On September 15, 1634, Parson Cotton made complaint to the court that the administrator of Captain Stone had declined to pay back tithes due the minister, thus proving that Stone had lived on the peninsula. As early as 1619, a small party of English Puritans had come over to Virginia; and says Charles Campbell, a larger number would have followed them had they not been prevented by a royal proclamation. In 1642 a deputation was sent from some Virginia dissenters to Boston, soliciting a supply of pastors from New England churches, and three clergymen were sent with letters of recommendation to Sir William Berkeley. While these missionary preachers were not supported by the government, yet it is quite certain that they influenced numbers from their New England folds to follow them to Virginia.

¹New England Genealogical Register, Vol. XL, p. 294.

Many of the early decrees of the peninsula courts, especially the sentences imposed upon the liar, scandal-monger, the drunkard and the petty thief, breathe a spirit of puritanical harshness unlike anything in other parts of the colony, and in the stern character of the early justices there was much of the New England severity. Obedience Robins and Stephen Charlton, early justices of Accomack, typified, both in name and character, the Massachusetts Puritan. It is worthy of note that one of the earliest towns in New England was named Charlton, a name which appears nowhere else in Virginia except on the Eastern Shore. Obedience Robins, a supposed cavalier with a puritanical name, has long presented a puzzling question. In spite of the fact that his sympathies were with the cavaliers, it seems highly probable that he received his name from a Pilgrim father. Indeed, royalist tendencies on his part may have been the very cause which led him to the more congenial quarter of Virginia.

When we come, therefore, to trace the origin of our Eastern Shore colonists, while we should not dogmatically state as a matter of fact that many of them came from New England, yet we should bear in mind the strong evidence that points in that direction. The very fact that the peninsula was so far removed from the antagonistic atmosphere of James City, would have rendered it the most desirable part of the colony for the Puritans of a more liberal order to settle in.¹ To the remote shores of Accomack, where a population of a different sentiment was as yet scanty and where slight connection with the other parts of the colony existed; there, where the richest lands remained untenanted, where trade, ever attractive to the Puritan element, was

¹For cavaliers in New England, see *New France and New England*, Fiske.

already prospering, where religious freedom might be enjoyed, the New England renegades would naturally look for a new home. The traders, the seamen, the merchants, who had established and maintained intercourse with New England, were the very ones who would most quickly perceive the contrast between the rigours of New England life and the freedom of Accomack, and it was due to their influence, no doubt, that many of the restive settlers of the north sought the southern clime. Indeed, as the adventurous fishermen of the New England coasts followed the schools of blue-fish south, in the spring, to the shores of Accomack, just as the Plymouth fleet does to-day, what could have been more natural than that they should have landed upon the peninsula to fill their water casks and replenish their supplies of food?¹ And after the rigours of winter at home, how delightful to them must have seemed this favored land where no treacherous headlands jutted far out into the sea nor jagged rocks concealed their heads among the foaming waves! What sunny tales of peace and plenty, of ease and wealth, must they have carried back to New England, where the savage cry of the Indian reverberated through the frozen forest and barren fields of winter, warning the settlers of an ever present menace; of massacre, of the relentless murder of their loved ones. In such circumstances, what could have been more natural than that Massachusetts should have sent her sons to people the domains of Virginia?

¹The first governor of the Massachusetts Colony was Matthew Cradock, who owned fishing vessels and was active in the fish industry. It is possible, therefore, that there may be some connection between Cradock's Neck and Matthew Cradock. The name, spelt with a single "d", appears nowhere else in Virginia. Matthew Cradock died in 1644, leaving descendants in Boston. Cradock's Creek would have supplied a good harbor for his vessels.

Now let us examine the character of the early Eastern Shoreman. It was only recently that a distinguished scholar remarked in conversation with the author, "I know not the cause, but one thing is certain: the Eastern Shoreman is different from other Virginians." This remark but voices the general verdict. If unlike his brothers now, how much more marked was the dissimilarity in the seventeenth century. His history bears abundant testimony to this truth, and in the light of uncovered facts, let us say with Douglas Campbell, that in the Dutch influence lies the solution of the problem. That eminent scholar has contributed to the world the true introduction to American history and explained away many of the mysteries which enshrouded the pioneers of our Country. Without a proper appreciation of his argument no man may hope to understand the American character and the institutions of the new world. Let us read at length from the preface of his work:

"Many persons besides Carlyle have probably wished for a history of English Puritanism. But this Heroism, like that of the making of the United States, will remain unexplained and unintelligible just so long as it is looked upon as a mere chapter of English history, and not as an outcome or continuation of that great Continental movement, intellectual and spiritual, which, in the sixteenth century, revolutionized the world. Neither can be understood, unless we recognize the true intellectual, moral, and religious condition of the English people, out of which their Puritanism, with all its faults and virtues, was evolved, and appreciate the influence which must have been exerted upon such a people by the close proximity of a republic the leader of the world by at least a century in agriculture, commerce, and manufactures, and by more than two centuries in all ideas relating to civil and religious liberty.

"To the American this appreciation should not be a task of difficulty if he enters upon the subject with a mind free of prejudice. He has seen how, in his own time, the existence of the American Republic has effected the people of Central and South America, and how its influence has been exerted even across the ocean upon the nations of Continental Europe. He, therefore, of all others, should be capable of understanding how the Dutch Republic must have affected those heroic men in England and America who, in their newly awakened intellectual life, were trying to break the shackles of civil and religious tyranny.

"Writing the History of English Puritanism without an allusion to this influence is much like writing the early history of England without referring to the ideas brought in by the Norman conquerors, or a history of the Renaissance in Italy without mentioning the influence of the classic authors of Greece. But in the case of America and its Puritans even these comparisons are inadequate. Another illustration will, perhaps, be more apposite.

"Let the reader imagine that Japan, instead of sending a few score of students to the United States, had sent over many thousand families, and had kept five or six thousand soldiers in our army for some forty years; and that during the same period a hundred thousand Americans had settled in Japan itself. Imagine, further, that at the end of the forty years a number of the Japanese settlers in America had started out to found a colony in some newly discovered land, and that there had been added to their ranks a large number of Americans and some twenty thousand other Japanese, some of whom had lived in America, and most of the others going from sections in which Americans had been living for many years. These colonists found a mighty state, whose people speak Japanese, but have almost no Japanese institutions, having established a republic, and copied their institutions mainly from the United States. The writer who after two centuries should sit down to compose a history of this new republic, and, omitting all reference to the United States, credit these settlers with the invention of their un-Japanese

institutions, would be simply following the example of the English, and most of the American authors who have written of America and her institutions."¹

What Campbell has written concerning America applies with peculiar force to the Eastern Shore of Virginia, for we must not only remember the large numbers of the Dutch actually settled upon the peninsula, but the territorial proximity of and the daily intercourse with New Netherlands. Then again, we must consider the probability that large numbers of the early colonists of Accomack, even though English, came from New England and Holland, already subject to the Puritan and the Dutch influence.

In a subsequent chapter it will be shown that while religion was established by the most rigid laws in the parishes on the western shore, yet on the peninsula the liberty of conscience was such that the Anglican, the Calvinist of New England, and the Reformed Churchman of Holland, worshipped side by side, not only under a common roof but guided in their spiritual groping by Puritans, dissenters, non-conformists. And further, it will be shown that conditions were such as to offer a foothold for the first Quakers in Virginia, soon to be followed by the father of Presbyterianism in America.² Indeed, our little land beyond the water was in the eyes of the western shoreman a hotbed of religious heretics and free thinkers. It is, then, small wonder that the character of the people was moulded along different lines from that of the church-ridden Episcopalians across the bay.

It has long been the custom of the Eastern Shoreman to hold out with pride to the world the fact of his unadulterated

¹The Puritan in Holland, England and America, Douglas Campbell, Volume I.

²Early Church.

English blood. Although, even in the upper classes, the admixture of Dutch blood must have been great during the seventeenth century, we are not prepared to deny an overwhelming preponderance of the Anglo-Saxon strain. The love of the mother country is an inheritance to all Virginians, but, however admirable their pride of descent may be, let not the Eastern Shoreman be blinded by affection, for to Holland he clearly owes the individuality of his early character, an individuality still marked.

VII

THE COUNTY OR SHIRE OF ACCAWMACK. KENT ISLAND

When the Colony was divided into counties or shires in 1634, the population of the Eastern Shore was sufficiently large to entitle it to become one of the original eight shires, which were James City, Henrico, Charles City, Elizabeth City, Warwick River, Warrosquyoake, Charles River and Accomack.¹ The old commanders of hundreds gave way to the new officers, a Lieutenant for each shire, "to take care of the war against the Indians" and to provide for the defense of the shire. The government of the shires was to be the same as in England, and sheriffs, sergeants and bailiffs were to be elected. The jurisdiction of the commissioners was enlarged from five-pound to ten-pound causes, and one of the council was to attend and assist at each Court.²

The population of Accomack now numbered three hundred and ninety-six whites, a rapid increase (when we consider the total number of inhabitants in the Colony), during the twenty years from the time when Dale's Gift was established.³

When Captain Edmund Scarburgh, as Justice of the Peace, opened the first court of Accawmacke, The Laughing King had no doubt ceased to laugh; the humor of his situation as King of the peninsula was too subtle for his native wit, for he, like many another Savage chief before him, had by this time felt the fangs of the British bull-dog sink deep

¹Hening, Vol. I, p. 224.

²Ibid.

³Virginia Carolorum, Neill.

into the vitals of his kingdom, and had become sensible of the fact that it was a grip which once fastened upon the prey never relaxed its hold.¹

The great popularity of the Accomac peninsula is strikingly attested by the increase of population between 1634 and 1643, for in those nine years there was a gain of over six hundred inhabitants, making a total population for the latter year of about one thousand for the Eastern Shore as compared to a population of not more than fifteen thousand for the entire Colony. The rapid increase of the population of the Eastern Shore from 1634 on may be explained in a measure by the fact that in 1638-9 the General Assembly adopted a regulation that a tax of six pence per capita should be levied on passengers arriving at Point Comfort, the port of entry of the western shore, but excepted the Eastern Shore from the scope of the act.² The act was repealed later on, but in the meantime the authorities of Accawmacke made the most of their exemption, and incoming ships with fresh supplies of colonists were encouraged to land their cargoes on the free shores of the peninsula. The tax was small, it is true, but it was a tax nevertheless, and the immigrants, who had left their British homes to seek fortune and freedom in the New World, did not fail to see the advantages enjoyed by the isolated Accomack country, which escaped many other stringencies by being so far removed from the authorities at Jamestown. Indeed Accawmacke was known to the ship-masters and seamen of the time as an almost independent colony, for it was a difficult reach for the arm of the law from Jamestown across the Bay. There

¹End of an Era, Wise.

²Bruce's Economic History of Va., Vol. I, p. 631. Hening, Vol. I, p. 246.

were also certain provisions in the Act of 1642¹ as to trade exemptions on the part of the Eastern Shore leading to freer traffic between the people of the peninsula and foreign ports, and these naturally encouraged immigration. The people of the peninsula, while favored in many ways by its remoteness, were subjected thereby to some inconveniences. For instance, on February 20, 1640-41, on account of the great distance of Accomack from James City, it was enacted that the local Commander and Commissioners should have power to determine all causes between the inhabitants of the peninsula when the amount in controversy did not exceed the sum of twenty pounds sterling or four hundred pounds of tobacco, provided Argoll Yeardley and Nathaniel Littleton, Esquire, or either of them, was present.² It was well enough to give the court such large jurisdiction, and this act in itself really saved litigants much inconvenience and expense, but shortly thereafter it was provided by the assembly that in view of the remoteness of the peninsula from James City, no appeal should lie from the decision of the local court to the Quarter Court if the amount in controversy were under thirty-two hundred pounds of tobacco or thirty pounds sterling.³ This act put the people more in the power of their Justices than were the people of the other parts of the Colony. It also explains in great measure the dignity and respect which the office of Justice carried with it on the Eastern Shore.

During the years 1634-7 many of the founders of the influential Eastern Shore families migrated to the peninsula.

¹Hening, Vol. I, p. 246.

²Decision of Va. Genl. Court Va. Mag. of Hist. and Biography, Vol. IV, p. 367.

³Hening, Vol. I, p. 520.

Already the Scarburghs had settled there. Colonel Robins was seated at "Cherrystone," and Captain Argoll Yeardley, the son of Governor George Yeardley, had established himself at Mattawaman, upon the paternal lands. The Savages of "Savages Neck" had become old residents. In 1634, Nicholas Harwood, a cooper, patented 50 acres in the lower end of the peninsula. In 1635, Charles Harmer patented 1,050 acres near Old Plantation Creek and brought with him his wife and nineteen servants.¹ William Berriman patented 150 acres on Old Plantation Creek, known as "Fishing Point Neck," and Daniel Cugley, 400 acres called "The Hog Pen Neck," both in 1635. Francis Stockley and Henry Wilson each patented 50 acres along Old Plantation Creek, and John Neale 1,500 acres along the seaside in 1636. The same year he received a grant of 500 acres on Smith's Island. Other patentees of 1636 were: William Melling, 100 acres at the head of Old Plantation Creek; James Berry, 350 acres along Magothy Bay; John Forbush, 100 acres on the Bayside; Thomas Smith, 160 acres near the land of William Berryman on Fishing Point Neck; and William Bibby, 400 acres on the north side of King's Creek. One of the largest grants of the year in Accomack was that of 1,300 acres to John Wilkins, of which 50 acres were due for his own personal adventure, and the remainder for the transportation of twenty-five other persons, rated as servants, one of whom was a negro.

It should be understood that it was a common practice for an immigrant to bring a number of other persons to Virginia at his expense in order to secure their head rights or the fifty acres allotted to each new comer. It is not safe,

¹Neill's Virginia Carolorum.

therefore, to judge of a man's station or wealth by the number of persons set down in his retinue as servants. The following year, Edmund Scarburgh patented 200 acres on Magothy Bay, and William Cotton, the successor of the Rev. Mr. Bolton, 350 acres between the horns of Hungar's Creek. The largest land holders at the time were the Scarburghs and, since we are to meet with their name so frequently, and it has confused certain historians, it will be well to have some knowledge of the family.

Captain Edmund Scarburgh, the immigrant from Norfolk, and the father of the famous Colonel Edmund Scarburgh, was one of the Justices of the first Accomac Court in 1631-2. He settled on the Eastern Shore at an early date; probably about 1628 to 1630. He represented Accomac in the Assemblies of 1629, 1631 and 1632, and died in 1635. His son Edmund patented vast tracts of land and they both held the highest offices in the gift of their people. Colonel Edmund Scarburgh's brother was Sir Charles Scarburgh, physician to Charles II, James II, and King William. He was knighted in 1669 and was also a member of Parliament. Colonel Edmund was a member of the House of Burgesses in 1642, 1644, 1645, 1647, 1652, and 1659, and from 1660 to 1671; Speaker of the House in 1645; Justice of Northampton; Sheriff in 1660 and 1661; appointed Surveyor General of Virginia in 1655, and held the office during life.¹

¹Scarburgh's immunity from substantial punishment by the Colonial authorities on many occasions was undoubtedly due in large measure to his great influence at the Court of St. James where his brother Charles stood high in the good graces of the king. While the records show that he served as Surveyor General from 1655, it does not appear that he was regularly commissioned until 1666. The following is a copy of his commission:

"Warrant from the King to Edward Earl of Clarendon, Lord Chancellor to cause Letters Patents under the Great Seal to be passed to the following effect:—The King grants to Edmund Scarburgh the Office

He was a warm-hearted, fearless, pugnacious, enterprising man, highly educated, and the equal of any Virginian of his day as a soldier, scholar, or useful citizen. He died about 1671. His eldest son, Colonel Charles Scarburgh, was also the proprietor of much land, owning three thousand and fifty acres on Pungoteague Creek alone, in 1652. He was a member of the House of Burgesses in 1688 and also in other years; and of the Council from 1691 until his death. In 1692, he was Councillor, Collector of the Eastern Shore, Naval Officer of the same, and Commander-in-Chief of Accomac, and presiding Justice of that County. He married the daughter of Governor Bennett, and died in 1703, leaving a number of sons, who were nearly as prominent as their father, grandfather, and great-grandfather. This much concerning the Scarburghs has not been given by way of family history, but in order that the reader may appreciate the great influence of the family, a family of almost feudal powers. The frequent appearance of the name Scarburgh in the following pages will now be better understood, for it is inseparably interwoven with the history of the Eastern Shore. Of this family, Colonel Edmund Scarburgh was probably the most prominent member. There are many traditions concerning him and he was early named "Conjurer" by the Indians who greatly feared him. The court records abound in references to this unscrupulous man. His charges against the Rev. Mr. Teackle, the rector of old Saint George's Church, are there for one item; his share in the family

and Place of his Maj. Surveyor General of the Plantation of Virginia, with all the fees profits and advantages thereunto belonging and the rewith heretofore usually received and enjoyed. (Privy Seals 19 Chas. II, No. 366.)"

For copy of this commission see Virginia Magazine of History and Biography, Vol. XVII. p. 292. Sainsbury Abstracts.

troubles, which is said to have occasioned the name of "Slut-kill Neck," is another.¹ It is said that some Indians who lived near his estate had been stealing his sheep, hogs and cattle, for some time. After vain attempts to detect the thieves, he decided to break up the practice. He thereupon sent a messenger to the surrounding Indians to tell them that the Great Spirit would preach them a sermon if they would gather in a certain ditch on Scarburgh's Neck, upon the following Sunday morning. When the Indians, who feared to disobey the "Conjurer," assembled as directed, Scarburgh fired a great cannon loaded with shot which he had concealed at the other end of the ditch, and the Great Spirit spoke so forcibly unto the natives that but few remained alive after his introductory remarks.²

The remains of Hedric Cottage, Scarburgh's home, still stand on the north side of Occahannock Creek. The neck of land included between this creek and Cradock's Creek to the north is called Scarburgh's Neck to this day. Hedric Cottage is almost opposite the present Concord Wharf. It was at this point where Scarburgh's storehouses, shoe-factory, malt-house, and other plants were located.

John Wise, of Devonshire, the progenitor of the Wise family in Virginia, sailed, according to Hotten, from Gravesend in the ship Transport, bound for Virginia, July 4, 1635, and settled on the Eastern Shore. He was a mere youth when he arrived in Accomac, but soon married Hannah, the daughter of Captain Edmund Scarburgh, and from him five consecutive generations of John Wises de-

¹Said by some authorities to be named after one Sleuthkill, who owned property on the neck of land. This is a more reasonable explanation of the name.

²Address of late T. T. Upshur, Va. Mag. of History and Biography, Vol. IX, p. 95. (This is a familiar tradition on the Eastern Shore.)

scended, each in turn occupying high positions among their people. The immigrant purchased one thousand acres of land lying along Chesconnessex and Onancock Creeks, from Ekeeks, the Onancock King. This tract, with other land added thereto, was known for many years as the Dutch Blanket tract, by reason of the fact that the consideration named in the deed was seven Dutch Blankets.¹ Out of this tract were carved the two family estates of Clifton and Fort George on Chesconnessex Creek; and there lived the Wises during the seventeenth and eighteenth centuries. Most of them were both planters and lawyers, three, including the immigrant, being Justices of the Accomac Courts. The will of the first John Wise, who was a very pious man, is recorded in the Court of Accomac, and is a curious instrument, the greater portion of which is devoted to the disposition of his "Imortal Soul."² He is said to have been a man of great ability, indomitable energy, dauntless courage and strict integrity.³ Judging from the trade which he made with King Ekeeks, he must have been something of a business man as well, and his religion evidently did not interfere with his land transactions.

The same year Colonel Nathaniel Littleton, a scion of the famous Shropshire family of that name, came to Accomac and took up land along Nandua Creek. (He was the son of Sir Edward Littleton, the brother of the Lord Chief Justice, and the father of Colonel Southey Littleton of Accomac.) From this early date, the Littletons have been one of the most influential families on the Eastern Shore. Colonel Nathaniel Littleton was Chief Magistrate of Accomac in 1640 and a Burgess in 1652.

¹Accomac Records, 1668.

²Accomac Records, 1695.

³Virginia Hist. Collect., Vol. XI, p. 188.

Another early settler in Accomac and progenitor of a distinguished line of descendants, was Edmund Bowman, an English gentleman of wealth and position. He also, like John Wise, was a Justice of Accomac in 1663, after the peninsula had been divided into two counties. Captain, afterwards Major Bowman, settled upon Folly Creek, which flows into Metomkin Inlet on the seaside, and built the first of the famous old mansions known as "Bowman's Folly." He was sheriff and a Burgess of Accomac. One of his daughters married Colonel Southey Littleton, and another married John Cropper, a young Scotchman, and also one of the first settlers. (His son, Sebastian Cropper, married the daughter of Peter Parker. Bowman's Folly passed to their son Bowman, and from him to his son Sebastian, Jr., who married a daughter of Colonel Coventon Corbin of Chingoteague, one of the most prominent men of his time. For a sketch of the Parkers the reader must consult the various genealogical records.) The foregoing history of the various families has been given merely to show how constantly the early landed gentry intermarried, thereby sustaining their prestige and augmenting their power among the people of the peninsula. The Scarburghs, Yeardleys, Wises, Bowmans, Eyres, Corbins, Upshurs, Wests, Littletons, Parkers, Croppers, Baylys, Joyneses, Custises, and a number of others, comprised an isolated aristocracy in the early seventeenth century, which perpetuated itself for years with no appreciable admixture of outside blood, and their names will be frequently met with from now on, as it was from their ranks that the leaders and officers of the Eastern Shore were taken.

During the years 1627, 1628 and 1629, the governors of Virginia gave authority to William Clayborne, who was Secretary of State of the Colony, and a Justice of Accomac

in 1632, to explore the Chesapeake Bay and any part of the country from 34° to the 41° of North Latitude, which authority was confirmed by Charles I, in 1631. Being also authorized to establish trade, Clayborne established a port on Kent Island in the Chesapeake Bay. The settlement flourished from the first, and by 1632 the population was sufficiently large to entitle it to a Burgess; and in 1632 a warehouse was established in Southampton River for the inhabitants of Kent Island, Accomac, Elizabeth City, and Mary's Mount. It must be understood that up to the time of the grant to Baltimore, the enterprising whites who had pushed up into the present Maryland country, east of the Chesapeake, were considered to be Accomackians. They were principally Indian traders and fur dealers, and their settlements springing up to the north of the Pocomoke exercised much influence upon the settlement of the northern part of Accomac.

Soon after the port at Kent Island was established, the King, on June 20, 1632, confirmed the patent to Cecilius, Baron of Baltimore, which he had promised to the elder Lord, his father. The new province created from the territory of Virginia was named Maryland. The grant to Lord Baltimore very naturally aggrieved the Virginians and led to serious remonstrance on their part and an appeal to the King in 1633. The Star Chamber decided to allow Baltimore to retain his patent, recommending friendly intercourse between the people of the two colonies, pending a decision in the controversy. Clayborne, however, refused to surrender his claim to Kent Island, or to recognize the authorities of Maryland.

In 1634, Leonard Calvert, the brother of Lord Baltimore, with about twenty gentlemen and two or three hundred

colonists, most of them Catholics, reached Maryland. At a meeting of the Governor and Council of Virginia, in the following March, Clayborne sought for instructions as to Kent Island and was informed that since the controversy over the grant had not yet been determined, it was their duty to protect the territory of Virginia, but at the same time to remain on good terms with the Marylanders, if possible.

Clayborne's subsequent resistance to the newcomers and the rising hostility of the Indians, which they attributed to his influence, led to an order for his arrest, and open hostilities commenced.

The goods of a trader named Harmon were seized, and a pinnace called the "Long Tail" belonging to Clayborne was captured by the Marylanders. Clayborne then sent a vessel with an armed crew of thirteen, under command of Lieutenant Ratcliffe Warren, to recapture his vessel. On April 23, 1634, Lieutenant Warren met Captain Cornwallis in command of two pinnaces, the St. Margaret and St. Helen, and thereupon the first naval fight to occur in American waters between the colonists and representatives of British Authority took place at the mouth of the Pocomoke River, which was then considered to be in the Kingdom of Accawmacke. This struggle was the precursor of many others in the following century. In this small but significant affair, Warren and two of his men were killed, and several days later Cornwallis captured Thomas Smith of Kent Island, who was tried for piracy and sentenced to be hung.

When the people of Virginia learned that Harvey, their governor, approved the action of the Marylanders, great excitement prevailed among them. A public meeting was called at Yorktown, and an Assembly was summoned to meet on the 7th of May, 1635, to hear complaints against Governor

Harvey, who, it seems, was guilty of many other offenses against the people. On the 28th of April, 1635, before the Assembly convened, the Council took matters in their own hands and deposed the Governor, who had consented to stand trial in England; and thereupon Captain John West, a brother of Lord Delaware, was chosen acting Governor.

While the examination of Harvey was proceeding in England, Clayborne, who had been attainted, and whose property had been confiscated by Calvert, remained in undisturbed possession of Kent Island, until 1637, when he too repaired to England, where the Commissioners of Plantations reported the right and title to the Isle of Kent to be absolutely invested in him. But Harvey returned to Virginia as Governor in 1636; and in April, 1639, the authorities in England finally decided the controversy between Clayborne and Lord Baltimore, against the former, who returned to Virginia and sought in vain to recover the property of which he had been despoiled.¹

The dispute over this territory was the beginning of a long-drawn-out boundary controversy between Virginia and Maryland which deeply concerned the Eastern Shore, and which led to repeated difficulties between the people of the two colonies living in that quarter. Clayborne himself owned land in Accomac, and many of the men who adhered to his standard in the Kent Island affair were residents of the county, as for instance Philip Taylor, who was Clayborne's chief lieutenant. The letter of Marque and Reprisal issued to Taylor by Clayborne was probably the first instrument of the kind issued in America. The text follows:

¹Founders of Maryland, Neill.
Chalmer's Annals.
Campbell's History of Virginia.

"Philip Taylor, I understand yt the Marylanders have taken my Pinnyce the Longe Tayle, with her company, and some other of my men trading in other places, Now Whereas his maties Commission to myselfe warranteth me in trade with the natives and for as much alsoe as his Maties Gracious Lord in America doe declare his expresse pleasure and contrary to justice and true intent of his Maties grant to ye Lord Baltimore These are to desire you, that you, would with the first opportunity, with such company as are appoynted for you, sett sayle to Patawmack and Patuxant Rivers or elsewhere, and to demand of them my sd. Pinnace and men: and if you can obtaine them take possession of them for my use and bring them again unto this place, or missing of them, may stay of such boates of theirs as you can light on. Wherein I beseech you proceede without violence unless yt bee in lawful necessary defence of your selfe, especially alsoe to avoyd any bloodshed or making any assault upon any of them and to this end I require all your company to be obedyent and assistant unto you as if I were there myselfe. Given at the Isle of Kent under my hand and seale this Eleventh day of May Anno Die 1635.

"W. Claiborne. Seal.

"Record decimo quinto die mensis July, 1642."¹

In 1637, there seems to have been a strong tendency on the part of the inhabitants to move to Maryland. Baltimore was offering every inducement to draw people to his settlements and fabulous tales were spread concerning the liberties and great wealth of the new country to the north. In other words, there was a "land boom" going on in Maryland; rich and poor alike deserted their old homes in quest of "easy" wealth. As a result, numbers of the poorer people lost not only what land they had acquired in Accomack, but all their savings, in a vain search for the elusive gold of the boomers.

¹Northampton County Records.

Such a condition led the Court to prohibit both freemen, servants and any other persons to depart from the plantation of Accomack without the Assembly license of Captain John Howe, the Commander. The excitement soon passed over, but recurred in 1648, as we shall see later.

In 1638, the first deed was recorded, the parties thereto being Edmund Scarburgh and Esquire Littleton, and in September, 1640, orders came from James City for all land patents and bounds of land to be sent to the seat of government. The King's rent of land was one shilling for fifty acres. The same year, the first license to keep an ordinary was granted to Anthony Hoskins. Dame Elizabeth Dale's will was registered and the first Bill of Exchange was recorded and was drawn on ——— of Amsterdam, Holland, in favor of Wm. Douglas & Company, for forty pounds sterling. Argoll Yeardley employed Edmund Scarburgh to survey his father's land at Mattawaman creek.¹

The first election on the Eastern Shore was held at the Sheriff's House, February 15, 1636, and the first real representatives of the people of the peninsula were John Howe or How, and William Roper, the Burgesses chosen at this election. John Howe had already been a Burgess in 1631-2, 1632, 1632-3. The salary paid Howe and Roper as legislators was 1,500 pounds of tobacco.

Tobacco had already become the staple crop; much ship-building was going on; a profitable fur trade with the natives was in progress, and the population was growing rapidly. (So great was the demand for tobacco, that, in 1639, it was thought necessary to appoint experienced men of high standing in the community to inspect the consign-

¹From the Court Records of Northampton.

ments to the warehouses and see that certain provisions of the Assembly were carried out.¹ The peninsula was therefore divided into tobacco inspection districts, and the official viewers appointed were as follows:

"FOR HUNGARS: Captain Wm. Stone, Armstrong Foster, John Major.

From Mr. Cugley to the King's Creek: Mr. William Andrews, John Webster, James Barnaby.

From the King's Creek to the Old Plantation Creek on that side: Captain Wm. Roper, Elias Hastue, Jonathan Gibbs.

From Mr. Neale's upwards to Mr. Littleton's: Mr. Nathan Littleton, Luke Stubbins, Henry Weede.

From Mr. Littleton's and all on that side: Mr. Wm. Burdett, Henry Bagwell, William Berryman."²

Such records throw much light on the character of the times, and from them we can see that affairs were rapidly becoming settled; the way was being prepared for an extensive intercourse with the outer world, and the transition from a state of savagery to civilization had appreciably progressed by the year 1642.

¹See Subject of Tobacco in subsequent chapter.

²Acts of Assembly, 1639, Robinson, M. S., Va. Mag. of History and Biography, Vol. V, pp. 339, 340.

VIII

NORTHAMPTON COUNTY. INDIAN SCARES. STONE IN MARYLAND

In 1642, Sir William Berkeley became Governor of Virginia. Among the many salutary measures which he inaugurated was the division of many of the existing counties, thus reducing the vast areas over which the county organizations were supposed to extend their control. The peninsula was not yet to be divided into two counties, but the distinguished and ambitious Colonel Obedience Robins, of Cherrytone, took advantage of the general shake up and secured the passage of the following Act on March 18, 1642:

“Be it further enacted and informed that the plantation and county known as Achomack shall be knowne and called by the county of North'ton.”¹

Colonel Robins was from Longbuckie, Northamptonshire, England, and it has been frequently stated that he had the whole peninsula named after the county in England from which he came.² He was one of the most influential citizens of his time, representing Accomac in the Assembly during the years 1629-30, 1639 and 1642; three times a Justice and owner of 2,000³ acres on Cheriton Creek, and while it is true that he secured the Act changing the county name

¹Act XIII, Hening, Vol. I, p. 249. North'ton was the abbreviated form of Northampton.

²Virginia County Names, Long, p. 66.

³Patented in 1640.

to the name of his home shire, we must attribute a higher motive to him in so doing than the gratification of mere personal conceit. Shortly after the time at which the change of name was effected, the brave royalist, Spencer Compton, second Earl of Northampton, at the head of the King's troops, gave his life to the royal cause, on Hopton Heath, March 19, 1643. He had been a devoted partisan of Charles I and the loyal Virginians worshipped his name. Even before his death, the naming of a Virginia County after him was but an expression of their attachment and loyalty to the royal cause.¹ This certainly seems to explain the change satisfactorily, a change which had evidently been contemplated for several years, for mention of Northampton appears in the records as early as 1640.² The name Accomack had become too familiar to the distant Virginians along the James River to be given up very easily by them, and to the present day, the entire Eastern Shore country is frequently referred to as Accomack.

The first court, after the change of name, was held on the 18th day of July, 1642.³ The Justices present were Argoll Yeardley, Esq., Commander, etc.:

Col. Obedience Robins	William Andrews
Capt. William Roper	Philip Taylor
John Wilkins	Edward Douglas

At the first sitting of the court, a certificate was granted to Wm. Waters, son and heir of Lieutenant Edward Waters, in which it is stated that three men were killed at the

¹Va. County Names, Long, p. 66.

²Northampton County Records (Accomac), 1640.

³Accomac County Records, Vol. 1640-1645, p. 152. (Va. State Library.)

massacre and four men and a maid were cast away in the Bay. Sheriff Taylor was empowered to take a company of men with arms and ammunition and go to an Indian Town named Ginguheloust, to do what should appear best for the welfare of the county.¹ The people of the Eastern Shore seem to have had some fear that the spirit of restlessness and disaffection, among the natives of the Western Shore, was spreading to the Accomac Indians, for during the preceding year an order was published prohibiting persons from leaving their homes or plantations without arms and ammunition. Early in 1643 an order came from Sir William Berkeley appointing Captain Francis Yeardley commander of the troops of Accomack, with orders for training his men. The territory under his command extended from the lower side of Hungar's Creek to King's Creek, and along the bay shore. This was the most thickly inhabited portion of the peninsula at the time, and the only area in which anything resembling a "settlement" was to be found. There were no towns nor even villages. A few dwelling houses, a small ship-chandler's store, a tobacco warehouse, all clustered about the public wharf—of which there was one, as a rule, on each navigable creek—comprised the centers of trade and intercourse between the scattered planters. It is true that farm after farm was being taken up and improved, even in the northern portion of the county, but the county organization and government as such were inadequate to reach the confines of the peninsula. The governmental energy was expended almost entirely upon the thickly settled area before mentioned. In fact the great planters, who established themselves along Occahannock, Cradock, Nandua,

¹Ibid.

Pungoteague and Onancock Creeks on the bayside, and at Matomkin, Watchapreague and Machipungo Inlets, and along Magothy Bay and Bullocks Channel on the seaside, resented the interference of the court and the county officials. They were a law unto themselves, ruling their tenants and conducting their affairs in a primitive though generally a just manner. Tobacco and corn were their main crops, and tobacco and beaver skins were the commodities that corresponded to our silver and gold. All taxes, fines, and business transactions, except those of a very large amount, were based upon these commodities. Occasionally sterling money was used.

Although the peninsula was re-christened in 1642, the Court of Northampton was not established until the following year; hence we discover some confusion as to the date of the change, and we also find in the records of the Accomack Court at Eastville a record of the events of 1642 even after the change of name had occurred.

When the County Courts were first established in Virginia, the Governor appointed the clerks.¹ Later this power was given to the County Courts themselves,² with the provision that incumbents at the time of the Act should not be arbitrarily removed. Until this time, clerks were regarded as the deputies of the Secretary of State. The power to appoint them did not remain in the courts long and was soon given back to the Secretary, who retained it throughout the Colonial period.³

The office of County Clerk being a highly remunerative position and also one of dignity and importance, was much

¹Hening, Vol. I, p. 305.

²Ibid, p. 448.

³Justice in Colonial Virginia, p. 114.

sought after.¹ The appointees were usually men of superior character and standing in the community, and "upon no official in the entire county was imposed the performance of more important functions, of whom was required the exercise of so many virtues, or who were more distinguished for the endowments of mind and heart than was the Virginia Clerk, then called Clarke."²

The reputation of the early clerks gave character to the office long after it became elective, and for years the same high standard was adhered to. Once chosen, they remained in office for life, as a rule, and in many cases public opinion seemed to regard the position as hereditary, for it was not uncommon for a worthy son to succeed his worthy sire.³ On the Eastern Shore, the Justices and Clerks were peculiarly respected, even more than elsewhere in Virginia.

Henry Bagwell, Gent., who, as we have seen, was appointed Clerk of the monthly Court at Old Plantation in 1632, retained the office after the court became the shire court of Accomac.) The second clerk was George Dawe, 1640-42, and the third was Edwyn Conway in 1642. Conway came to Accomack in 1640 from the County of Worcester, England. He did not remain long on the Eastern Shore, but moved to Lancaster County about 1652, where he took as his second wife the sister or sister-in-law of John Carter of Corotoman. He was the progenitor of the Conway family in Virginia. The following are the other clerks of Northampton County from 1642 to the end of the century:⁴

¹Justice in Colonial Virginia, p. 114.

²Address of Judge Waller R. Staples, Va. Bar Asso., 1894, Vol. VII, p. 144. Barton's Introduction to Va. Colonial Decision, Vol. I, p. 201.

³Barton's Introduction to Va. Col. Dec., Vol. I, p. 201.

⁴Johnston's Memorials of Va. Clerks from 4 to 14. For Conway, see Virginia Heraldica.

4th. Thomas Cook,	1642-1646
5th. Edward Matthews,	1646-1655
6th. Robert Howson,	1655 ———
7th. G. Poke,	—————
8th. John Boggs,	————— 1659
9th. Robt. Hutchinson,	1659-1644
10th. Jeta Kirkman,	1644 ———
11th. William Mellings,	1644-1670
12th. Daniel Neech,	1670-1671
13th. John Culpeper,	1671-1674
14th. Daniel Neech,	1674-1703

The first clerks seem to have been very proud of their intellectual acquirements and particularly of their knowledge of Latin. They frequently interlarded their manuscripts with Latin words and nearly all of them were prone to use peculiar abbreviated forms, which add to the difficulty of deciphering their ancient records.

William Michael was perhaps the first attorney to practice his profession in Northampton County, and in 1657 was one of the recognized leaders of the bar. For many years Colonel Edmund Scarburgh seems to have shared honors with Michael. The former's argument in the famous Gettering's Controversy, which arose out of a bequest to the church by Stephen Charlton, is a masterly exposition of the law of wills.¹

Other distinguished lawyers of the seventeenth century were: Thomas Harmonson, Francis Pigott, Daniel Foxcroft, John Tankard, Charles Holden, William Spencer, John Luke, Ambrose White, George Watson, John Stratton, John Parker, James Watts, and Colonel John Custis. Custis ably defended the Rev. Mr. Teackle against certain un-

¹Northampton County Records, Vol. 1657-64, p. 157.

grounded but serious charges brought against him by Scarborough, the latter accusing Teackle of improper relations with Lady Scarborough and combining with her to poison him. Most of the attorneys named were exceptionally well versed in the law and skillful practitioners. The volume of litigation was surprisingly large, and while the practice of law must have been highly lucrative, yet the lawyers invariably indulged in the planting of tobacco.

About this time the first mention of the trouble in England was made. It seems that the court having broken the seals of a certain letter, excused itself on the ground that it was understood that certain valuable information as to England and the Colony was contained therein, and, "whereas the times do seem perilous" and the letter had been forwarded to the addressee, no harm had been done. In other words, the gentlemen who assembled about the improvised courthouse to discuss the impending crisis at "home," were, as humanity is wont to be, most curious, and all incoming letters paid them toll of news. One of these old letters was written by Andrew White, who had returned to England on business; in it he said, "we are in great fear of Turmoils & Convulsions, and I wish I was in the Colony." Can we not see such men as Colonel Scarborough and Edmund Bowman riding each morning to the public landing in eager quest of the latest intelligence from "home?" Ah, how these old transplanted royalists must have longed to draw their swords for the King! How they must have sighed as they gazed out over the blue Atlantic and pictured the ruin which was soon to befall their kith and kin in old England! And as these self-exiled royalists stood upon the shores of their American homes, and in reflective mood dwelt upon the seething, irrepressible questions of the day, there must have

been something suggestive to them in the wild lines of turbulent breakers, mounting higher and higher, their proud white crests glinting in the sun, only to fall with awful suddenness and fury upon the implacable shoals. But this is only a slide in our lantern, a flickering shadow picture on the sheet of the past to draw our minds back to the early days, and enable us to see the times as they were. We must return to material facts.

In 1643, Sheriff Philip Taylor, who had barely escaped the clutches of Lord Baltimore during the Kent Island disturbance, and who no doubt had been made sheriff on account of his intimate knowledge of the frontier and the Indians, petitioned the court for a jail. It was not until two years later, on the 7th of November, that mention is made of action thereon, when the court accepted the offer of John Badlam and John Dixon of the Point House at Old Plantation Creek, which they kept as an ordinary, to guard and feed the prisoners.

In April, 1644, the alarm of Indian massacre was general, and the natives who were openly resisting the encroachments of the whites to the north being distrusted, the settled portion of the lower peninsula was again divided into military districts. The country from the north side of Nassawattocks to the north side of Hungar's comprised one district, under command of Wm. Andrews and Stephen Charlton; and that from the south side of Hungar's to the north side of Mattawaman Creek, was a district under Captain Wm. Stone. Captain Argoll Yeardley commanded the district from Mattawaman Creek to Thos. Dimmer's House and the Petit house, and the territory on both sides of Cheriton Creek was under the command of Colonel Obedience Robins and Captain Philip Taylor. Captain Wm. Roper and Edward

Douglas commanded the district from King's Creek to the latter's house. The seaside district from Colonel Littleton's to Magothy Bay Point was placed under the command of John Neale and Edmund Scarborough. Any persons who failed to execute the proper orders of the district Captains were to be committed to the custody of the sheriff and sent to James City. Some trouble with refractory inhabitants soon arose, and on July 12th John Wise was called before the court to testify as a witness against them. It is safe to say that Colonel Scarborough's activity led to the acquisition of the jail the following year.

The County Court was held, as we have seen in a previous chapter, at various places, according to the convenience of the Justices and the litigants, so we find the house of Stephen Charlton designated as the meeting place in 1646. For the further convenience of the Bench, a bar was established in the immediate neighborhood, for Walter Williams was licensed March 22nd to keep an ordinary and victualling house, and "to sell strong water." The same year orders were issued for the erection of bridges across Hungar's and other Creeks, showing an increasing intercourse between the people of the lower peninsula.

In the early days of the Colony, the area under cultivation was so limited, and the tendency of the planters to invest in the most profitable crop was so strong, that at times the food supply was insufficient to maintain the colonists. There being no vast wheat and corn fields in the west to put their surplus supply upon the Eastern Exchanges, the Virginians were forced to the alternative of self-maintenance or starvation. The day when the Indian storehouses could be depended upon to maintain the whites in case of emergency was past, and the General Assembly was frequently compelled

to take cognizance of the economic questions of supply and demand. A law was enacted, prescribing the amount of corn each planter should produce, apportioned according to his acreage; and at the June Court of Northampton, in 1647, it was ordered that the constables of the various precincts should visit the planters' farms to see whether or not the requirements of the law were being fulfilled. The constables, however, were wide awake to their own interests, and a hog-head or two of tobacco secured a favorable report on the corn crop. In fact, the officials at this early day were not overscrupulous in their dealings, and frequently enriched themselves at the expense of the general government. As a result of the defaults and neglects of the sheriffs, who had up to this time collected most of the taxes, and who had caused "much blemish to the reputation and credit of the Colonie," the Assembly, in 1648, appointed official revenue collectors. Colonel Scarburgh and Colonel Nathaniel Littleton were selected for Northampton.¹

Lord Baltimore, as we have seen, was an energetic colonizer from the very first, and did everything in his power to turn the tide of immigration to the shores of Maryland. We have seen how Accomack suffered by loss of population during the excitement of the first Maryland boom and now Northampton was to lose many of her citizens through emigration to that colony.

By 1645, a powerful Protestant party had developed in Baltimore's domains. Profiting by the distractions of the mother country and the absence of Governor Calvert, who had repaired to England to consult with Baltimore, William Clayborne at the head of a body of insurgents, many of

¹Hening, Vol. I, p. 356.

whom were recruited in Northampton, seized the reins of government and usurped the control of the colony. As a result of this demonstration of Protestant strength, only the greatest influence which Baltimore could bring to bear prevented Parliament from rescinding his charter. Calvert promptly returned to Maryland in August, 1646, and soon regained control, yet even Baltimore was unable to bring Clayborne to justice. In 1648, the proprietor revoked all former commissions and established a new government, based upon more liberal principles, thereby acknowledging the power of the Protestants within his colony. On August 8th, 1648, William Stone of Northampton County, Virginia, was commissioned Governor of Maryland. Captain Stone was the nephew of a London haberdasher; was born in Northamptonshire, England, and settled on the Eastern Shore of Virginia about 1632. He was the son of Captain John Stone of Massachusetts, who later moved to Northampton. This was the Captain John Stone who behaved so badly at Boston and was killed by the Pequods on the Connecticut River, while returning to his home in Virginia.¹

William Stone was a prominent Protestant, having been Justice of Accomac in 1633, a vestryman in 1635, and the first sheriff of Northampton in 1640. He owned large tracts of land between Hungar's and Mattawaman Creeks, which he inherited from his father. Being closely affiliated with Clayborne, his influence with Parliament was very great. His appointment by Baltimore was therefore in the nature of a conciliatory measure.² Stone was the brother-in-law of

¹Winthrop's Hist. of New England.

²The English Colonization of America in 17th Cent., Neill, p. 253. Osgood's Am. Col. in 17th Cent., Vol. II, p. 319 et seq. Campbell's Hist. of Va., p. 205. Va. Carolorum, pp. 416-17.

Francis Doughty, a non-conformist minister who later came to Northampton from Flushing, and the son-in-law of the Rev. William Cotton of Hungar's Parish.¹ Perhaps no other citizen of Northampton has ever been honored with such a title as that conferred upon him by Baltimore, which read as follows: "Lieutenant chief Governor General Admiral Marshall chief Captain and Commander as well by sea as by land of our Said Province of Maryland."² In return for all this Stone agreed to transport to Maryland at least five hundred settlers of English or Irish descent, and judging from the frequent references in the Maryland records of this time to Virginians "late of Accomack, now called Northampton County," it is quite certain that large numbers of the Puritans of the lower peninsula migrated to Maryland with Stone. These people took up lands along the Pocomoke River and in the boundary country, from which it appears that they retained a desire to keep in touch with their old homes. Many of them improved their condition along with the acquisition of this new land and a change of allegiance. Job Chandler, a brother of a London merchant and who had lived in Northampton, became a State Councillor in Maryland.

Under the favorable terms which Baltimore extended to patentees of land at this time, numerous Eastern Shoremen who never forswore their allegiance to Virginia nor resided in Maryland, took up lands in the latter colony. Both Colonel Edmund Scarburgh and his son Charles patented large tracts there, as did John Custis and Francis Yeardley.

In 1654, Governor Stone, by proclamation, acknowledged Cromwell as Protector, but ignored the authority of the

¹See Chapter on Early Church.

²Proceeding of Council of Maryland, 1636-37, p. 201.

Parliamentary Commissioners, which so infuriated his former ally, Clayborne, that influences were brought to bear which forced Stone to resign. He at once set about the organization of an armed force to overthrow the new government. After various adventures, including the seizure of the State Records, the undisciplined band of Stone's adherents was met by Captain William Fuller, at the head of 120 planters bearing the colors of the Commonwealth, and totally defeated at Severn.¹ He himself was captured and sentenced to death but was subsequently pardoned. Thus ended this Eastern Shoreman's resistance to Parliament.² How his brothers to the south fared, we shall see in the next chapter.

In 1653, Governor Stone, who was then living at Nanjemie, Maryland, sold his house on Hungar's Creek to Captain William Whittington of Northampton. He died about 1695 at his manor of "Avon" in Charles County, Maryland. Among his descendants was Thomas Stone, Signer of the Declaration of American Independence.

The oath which Stone subscribed to as first sheriff of Accomack is said to have been the first sheriff's oath in America.³ The full text follows:

"Ye shall sweare that well and truely ye shall serve the King's Magistie in the office of the Sheriff of the County of Acchawmacke, and doe the King's yffitt in all things that belongeth to you to doe by way of yor office as ffar as you can or say.

"You shall truely kepe the King's Right and all that belongeth to the Crowne.

¹Severn was the early name of Annapolis.

²English Colonization of America in 17th Cent., Neill, p. 255.

³Va. Mag. of Hist. and Biog.

"You shall truely and rightfully treate the people of the Sheriffwicke, and do right as well to the poore as to the Ritch in all that belonged to yor office.

"You shall doe no wrong to anie man for anie guift or other behest or promise of goods for favour nor hate.

"You shall disturb noe man's rights. You shall truely returne and truely serve all the King's Writts as ffarr forthe as shall be to you coming.

"You shall take noe Bayliffe into your service but such as you will answere for.

"You shall make such of yor Bayliffes to take such oathe as you make yorseffe in that belongeth to yor occupation.

"You shall be dwelling in yor own yyn (proper) ysons (persons) within yor Bayliewicke for the tyme that you shall be in the same office, Except you are otherwise licensed by the Governor and Counsell of this Colony. And you shall diligently and truely doe all of the things appertaining to yor sayd office of Sheriffwicke to the uttermost of yr power. Soe holpg yor God ye."

Stone's under-sheriff was Thomas Hatton; without doubt the same who in 1648, with his wife and two sons, Robert and Thomas, went to Maryland.

In 1649, the County Court of Northampton was held at the tavern of Walter Williams of Nassawattocks, and also at the tavern and pseudo-jail at Old Plantation, called the Point House or Dinner House. In the designation of such places for the sitting of the Justices, we can see the origin of the famous Virginia Court day and the many customs that sprang up around the occasion. At these very sessions of 1649 mention is made of fighting and disorder and one litigant was forced to defend himself with a truncheon in a tavern brawl. Another, Robert Warder by name, was ordered to stand at the church door at Nassawattocks with a great pot tied around his neck, thereby signifying the measure of his offense for being drunk, etc.

The Justices themselves seem to have grown delinquent under the influence of court day, for the Assembly was forced to enact, about this time, a law prescribing a fine of three hundred pounds of tobacco for absence from court.

During the last few years of which we have been treating, affairs had come to a sorry pass in England. King Charles the First, after having been a prisoner for several years, was beheaded in front of Whitehall Palace, on the 30th day of January, 1648. The noble manner in which he faced death confirmed the royalist planters of the Eastern Shore in their loyalty to his cause. His faults were forgotten, his transgressions were atoned for by the blood of the royal martyr. It was impossible for the men of Accomac to understand the seriousness of the home situation. While they knew full well of the downfall of their party in England before the determined onslaughts of the Cromwellians, yet they could not conceive of such a possibility as the execution of the King himself. The news of the sentence and its execution fell upon them like lightning from a clear sky. They were dazed by the shock, and upon their recovery sought to give expression to their sentiments of loyalty. In the old records we find under date of December, 1649, the following entry:

"A proclamation By the Commandr and Commissionrs of Accomack:

"WHEREAS, it hath pleased Almighty God to suffer us to be deprived of our Late Dread Sovraigne of blessed memorye, wee the Commandr and Commissionrs of Accomacke doe by these presents proclayme Charles the undoubted Heyre of our Late Sovraigne of Blessed memorye, to bee King of England, Scotland, Ireland and Virginia And all other Remote Provinces & Collonyes, New England and the Caribda Islands. And all other Hereditamts and Indowmts belonging unto our Late Sovraigne of blessed

memorye. Willing and Requiringe all his Maties Lege people to acknowledge their Alledgance And with genrall consent & Applause pray God to bless Charles the Second King of England, Scotland, France, and Ireland, Virginia, New England, ye Caribda Islands, and all other provinces and subjects to the English Crowne; and soe God save Kinge Charles the Second. Amen, Amen, Amen.

"Recordat primo die Mense Ffebrur, Ano 1649, p'me Edm: Mathews Cler. Cur."

The above proclamation did not voice the sentiments of all the people on the peninsula. One can picture the resentment of the Puritans when they heard of this Act on the part of the Court. They were greatly in the minority among the higher classes, however, and this was a time when might ruled absolute as illustrated by the Commonwealth itself. During the two years following the execution of the King, fugitive Cavaliers poured by hundreds into Virginia.

About the fifteenth day of September, 1649, the "Virginia Merchant," Captain John Locker, a ship of three hundred tons burden, sailed for Jamestown with many passengers. Among those who engaged passage were Colonel Norwood, a relative of Governor Berkeley; Major Francis Morison, a sympathizer with the King, and Major Stevens,¹ who had

¹Major William Stevens probably for some time remained in Accomac, where Yeardley and others held his political sentiments, and was perhaps the same person who in March 1651 declared his fealty to the "commonwealth of England as it is nowe established without King or House of Lords." He may have been the one who settled near the spot, where he was cast away, in 1650, and thus became a citizen of Maryland. In the records of Somerset County, Maryland, is the following: "Richard Stevens, brother to William Stevens of Somerset County, in ye Province of Maryland, was youngest son of John Stevens of Lehourne in ye Parish of Buckingham in England, died at the house of his brother William aforesaid, ye 22d day of April, 1667, and was buried at his plantation called Rehoboth in ye county and province aforesaid, in America, ye 25th day of April."

In 1679, Col. William Stevens entered a tract of two thousand acres on the shores of the upper part of Assateague Bay near where, in 1650, the "Virginia Merchant's" passengers landed in distress.

served under Waller in the Parliamentary Army when it besieged Exeter, then held by Sir John Berkeley, the Governor's brother. Driven by a storm, the ship found itself on the 12th of January, 1650, among the islands of Assateague Bay, on the Atlantic coast of Maryland. Upon one of these, Colonel Norwood, Major Morison, Stevens, Francis Cary, and others landed, and after several days, crossed over to the main land and were hospitably treated by the Indians. A white fur trader, Jenkin Price,¹ arrived, and under his guidance they began their journey to Nathaniel Littleton's plantation, the nearest in Accomac. Toward night of the first day, they reached a point opposite Chincoteague Island, and at the close of the second day, after twenty-five miles of travel, they came to Price's post on the Littleton Plantation. From thence they proceeded to the Plantation of Stephen Charlton, who gave them fresh clothing. Lower down in Accomac, now Northampton County, they visited Argoll Yeardley, the son of the former Governor, who was born at Jamestown, in 1621, and had recently married.

Norwood in his narrative writes:

"It fell out very luckily for my better welcome, that he had not long before brought over a wife, from Rotterdam,² that I had known almost from a child. Her father, Custis by name, kept a victualling house in that town, lived in good repute, and was the general host

¹In October, 1650, the Assembly gave 5,000 pounds of tobacco to Jenkin Price for the preservation of certain persons. Price was now poor and evidently this was a gratuity for his kindness to Norwood, now become Treasurer of Virginia.

²Yeardley's father used to send his tobacco to Rotterdam.

of our nation there. The Esquire knowing I had the honour to be the Governor's kinsman, and his wife knowing my conversation in Holland, I was received, caress'd more like a domestick, and near relation, than a man in misery, and a stranger. I stay'd there for a passage over the Bay, about ten days welcomed and feasted not only by the Esquire and his wife, but by many neighbours that were not too remote."¹

About the middle of February, Colonel Norwood crossed Chesapeake Bay, in a sloop, and landed at Esquire Ludlow's, who curiously enough was a cousin of the regicide and became with Yeardley a Councillor under the Commonwealth.

Stephen Charlton, mentioned by Norwood, was an able, hospitable man, and owned the plantation now known as the "Glebe," situated about three miles from Bridgetown, down "Church Neck." He left this plantation to Hungar's Parish to aid in the maintenance of a clergyman.²

The name of John Custis first appears on the Eastern Shore about 1640. He was born in Gloucester County, England, but moved to Rotterdam, where he was a famous host, keeping the tavern which the English made their headquarters.

During a visit to Rotterdam, Argoll Yeardley, son of Sir George, married Ann Custis, and no doubt induced John and Joane, her parents, to return with him to Virginia.³ John Custis, son of the immigrant, was an enterprising man, and like Scarborough, engaged in salt making on one of the sea-side islands. He was foremost in all civil and ecclesi-

¹A Voyage to Virginia. Force's Collect. of Historical Tracts, Vol. III.

²See Chapter on Early Church.

³Custis was not born in Ireland, as stated by Bishop Meade. See Virginia Heraldica, p. 47. Also Yeardley Genealogy by T. T. Upshur, p. 4.

astical matters and was a great favorite of Lord Arlington in the time of Charles II, naming his estate on Old Plantation Creek, "Arlington," in honor of his patron. He was a true royalist, married a daughter of Colonel Edmund Scarborough, and was appointed Major General of the King's forces by Governor Berkeley in 1676. In all, there were five John Custises, the last being the first husband of Martha Dandridge, who afterwards married General Washington. Here again we see two of those family connections, between the Yeardleys and the Custises, and the Custises and the Scarburghs, upon which we have already dwelt.

All through the period of 1644, a period of general uprising on the part of the Indians of the Western Shore, when the streams were red with the blood of the colonists, the natives of the peninsula had remained passive. It is true that prompt steps had been taken by the Eastern Shoremen to protect themselves and overawe the Indians who found themselves so circumscribed by the whites that there was but slight temptation to disobey the advice of Debedeavon and their rulers. Appreciating the attitude of the peninsula natives, Sir William Berkeley in April, 1650, addressed the Court as follows:

"The Commissioners of Northampton County there.

"Gentl: Having been frequently informed by testimony of undeniable credit, that the Indians commonly called by the name of the Laughing King Indians, have been most faithful to the English, and especially neither they nor their King in the last bloody massacre could be induced to engage with our enemies against us & so by consequence kept the remote Indians, at least none broke in at a time when a general combination against us, had been ruinous, at least of insupportable expense to us, and considering that we cannot reasonably for the like effect of their friendship, in

case we should again need it (which God knows how soon it may be) unless we correspond with them in acts of charity and amity, Especially unless we abstain from acts of rapine & violence, which they say we begin to do, by taking away their land from them, by pretence of the Sale of a patent. My desire therefore to you is and I make it in the name of the peace & safety of the Colony, that you suffer no land to be taken from them but what shall be allowed both in justice & convenience by the full court. And in case the Commissioners disagree in their opinion, that you refer the whole matter to be considered by a full court at James City.

“Your humble Servant,

“WM. BERKELEY.”

Here, indeed, is a testimonial to the Laughing King. With such a certificate he may justly appear before the Tribune of Fame and demand recognition from posterity. O Fame, how many deserving names remain ungilded in your hall to make space for those of the less worthy! What an opportunity there is for our ladies and their Societies to do justice to Debedeavon, the noble Laughing King of Accawmacke! Two generations of our fore-fathers were befriended and shielded by this chief, whose single word would have brought down the horrors of a massacre upon the unprotected flank of the infant Colony. The wilds of Maryland would have poured forth an unrestrained horde of savages, thirsty for blood and rapine, had he not held them back and interposed the bar of his sacred command.

During the massacre of 1644, and subsequent thereto, numerous reports of the intended uprising of the Eastern Shore Indians greatly disturbed the people of the peninsula. At last, on July 25, 1650, a council of war was held and various witnesses examined in regard to the rumors of war. Robert Berry swore that an Indian named Ornaws had

declared to him that "the Indians were not good; that King Tom, of the Gingasgoynes, told the other English what the Indians said and did; that they were appointed to poison the English." Berry replied that he did not believe it, because the bayside Indians had sold all their corn, but to this Ornavs answered "they sold their corn for truck to pay the Indians that were to come over the bay, whom they had hired to fight against the English."

The court at once gave orders for the people to stand under arms, etc., and continued the examination of other witnesses. Two negroes being then examined, one of them testified that King Tom had carried roanoke unto the Nanticoke King; that he said the roanoke was for bribing; that the King of Gingoteague and the King of Matchateague intended to fall upon the English, and that they had all consulted together, except the King of Kikotank. At a court held the same month Robert Berry's deposition was taken again and a party of able men were ordered to go among the Indians and make inquiries.¹

What danger was reported by those who went among the Indians does not appear, but on October 9th, 1651, the county was again divided into military precincts, and commanders appointed as follows:

"Captain Peter Walker was to command the Regiment of Horse to be raised.

From the lower end of Magothy Bay to the South side of Old Plantation Creek, Captain Edward Douglas.

From the house of Lewis Whyte to Old Plantation Creek, including John Little's house at Seaside, Colonel Obedience Robins.

¹Northampton County Records, 1650, Vol. III, p. 217.

From the house of Lewis Whyte, including Savage's Neck, Captain John Savage.

Hungar's Creek: Captain William Andrews.

Occahannock Creek: Col. Edmund Scarburgh.

Nandua Precinct: Capt. Samuel Goldsmith."

The Military rendezvous called Nuswattocks is now called Bridgetown, doubtless so renamed because it is not on Nuswattocks Creek, but is at the bridge over Hungar's Creek near its head waters. The place is indiscriminately referred to in the records as "the bridge at Nuswattocks," "the bridge at Hungars," "the bridge over Hungars Creek at Nuswattocks," but the context shows that the present site of Bridgetown was where the Commissioners' or Justices' Court for the upper part of the county met alternately with "Old Plantation."

In April, 1651, Colonel Scarburgh could no longer restrain his desire to punish the Indians along the northern boundary of Accomac for a number of trifling depredations, and for their reported conspiracy to massacre the whites. Collecting a band of well armed and experienced Indian fighters, among whom were Thomas Johnson, Richard Vaughan, John Dollings, John Robinson, Toby Norton, Richard Bayly, Ambrose Dixon, Richard Hill,¹ Tomlin Price, besides other inhabitants of Northampton, he set out from Occahannock Creek on the 29th of the month, to capture or kill the King of Pocomoke, the leading spirit of the supposed conspiracy. It was not long before the formidable mounted band fell upon the natives, whom they shot at, and slashed with their sabres and long hunting knives. Capturing a number of the amazed natives, Scarburgh ordered that their bows be cut and that

¹The same man who disturbed Okiawampe in his hunting. See Chapter on Indians.

the two whom he believed to be ringleaders be bound neck and heels with a chain. Not knowing what was coming next, it was very natural for the Indians to collect in great numbers along the border, and of course it was said that they intended to invade the Accomac country. Whether it was their intention to do so or not before Colonel Scarborough made his raid among them is not really known. At any rate, rumors of impending war had been rife for some time, and having much property exposed to their mercy, Colonel Scarborough was unwilling to sit quietly at home and take the chance of its being destroyed. Numbers of the frontiersmen and fur traders had no doubt come to him with tales about the Indians, which led to his assault upon them. After a short while, the bands of frightened Indians dispersed, and Scarborough and his raiders returned to their homes.

At the next court, May 10th, the Sheriff was ordered to arrest, to the number of fifty or all those who went upon this expedition, and confine them until they gave security for their appearance at James City before the Governor and Council. The court then sent over Argoll Yeardley and William Andrews to prosecute the defendants, and in order that these distinguished representatives of law and order might appear at the Capital in proper style, it was directed that a boat, well stocked with provisions and manned by three men, should be placed at their disposal.

In the meantime, however, it was commanded by the authorities that diligent ward and watch be kept throughout the county in order to discover and prevent the execution of the supposed plot or conspiracy of the Indians. With a view to placating the injured spirit of the Pocomokes, Mr. Andrews was enjoined to send to Onecren of Pocomoke, 100 arms' length of roanoke; to the King of Metomkin, 10 weed-

ing hoes; to the two Indians that were bound neck and heels, and to the Indian shot by the wife of Toby Selby, 20 arms' length of roanoke; Andrews to be satisfied out of the next crop of tobacco. From this order of the court, it would appear that the ladies had joined in the chase. The Indians were great thieves, however, and Mrs. Selby probably shot this one while he was prowling about her place.

It does not appear that anyone, implicated in the raid, appeared before the council of war held at James City for their prosecution, except Colonel Scarburgh and Thomas Johnson. These two gentlemen were indicted for "going in a hostile manner among the Indians and doing them outrages contrary to the known laws of Virginia." An investigation ensued, "but upon scanning the business, the charge was found to be untrue," and the court considered that the defendants acted as careful and honest men ought to have done. From this, it would appear that the raid was justified by the facts; and convincing evidence must have been introduced as to the plans of the Indians. After Governor Berkeley's proclamation, enjoining amity and courtesy on the part of the whites in their dealings with the natives of the peninsula, it is only reasonable to suppose that he would have been infuriated by such an act, as Scarburgh's raid, unless justifiable. That he was not, is shown by the following, written immediately after the trial:

"To Colonel Littleton.

"I pray (upon sight hereof) deliver unto Mr. Edmund Scarburgh Towe (two) of yor best Ewe Lambe wch I have given him, for his daughters Tabitha & Matilda, charge ye same to Accott, fr

"Yor Llovinge frend,

"WILLIAM BERKELEY."

Upon Scarburgh's return, the following entry was made in the records of the court held July 29th:

"Whereas there is great probability that the Indians have concluded a confederacy of acting a sudden massacre of the inhabitants of this county, It is therefore provided that a company of Horse shall be pressed for present service to discover and prevent the threatened danger, and that no delay be used. These are in his Majesties name to authorize the officers employed to press such horses, men and other necessities as fitly conduce to the execution of this design and hereunto let no man fail of observing as he or they will answer to the court at their peril."

This commission was signed by Stephen Charlton and the two gentlemen recently tried at James City, Colonel Scarburgh and Thos. Johnson. First: observe that the court of Northampton does not recognize the authority of the Commonwealth, but regards Charles II as their ruler. Second: observe that Scarburgh and Johnson made out such a strong case against the Indians that they were not only thought to be justified in their raid, but the very court which had indicted them was led to issue orders for aggressive action against the natives. Then follows a letter from one of the most conservative and law-abiding men in the county:

"Gent. I have received your order & I think it fitting that you all meet at Mr. Charlton's upon the 31st of this month and thereunto give Mr. Andrews and Mr. Yeardley notice of your meeting, and what you shall there agree for the Good & safety of the County, I do willingly condescend to. I pray you be careful not to engage us in a war but upon good grounds, etc.

"Your friend,

"NATH'L LITTLETON."

Mr. Andrews and Mr. Yeardley were the two gentlemen but recently sent to James City to prosecute the raiders. They are now about to confer as to another raid, just three months subsequent to the one made by Scarborough, which had no doubt disorganized the natives, and prevented concerted action among them during the early part of the summer, at which time they would have commenced hostilities if a massacre had been contemplated; for at that time the woods are well screened with leaves and stocked with food, and the sun is not too hot for rapid movements.

For the execution of the foregoing order of the July Court, it was provided that twenty-five horses and mares, with saddles and bridles, were to be provided by the planters; and if enough volunteers did not appear, men were to be pressed into service by the sheriff on the following Monday afternoon at three o'clock at the house of Richard Bayly, of Nuswattocks. Each man was to bring with him half a pound of powder, with shot and bullets and rations for a week, and was to be armed with pistols, carbine and short sword; and they were authorized to take such arms and harness from the planters, wherever they happened to find them.

Such warlike preparations seem to have completely overawed the restless natives, and there is no record for some years of further disturbances. Exactly one year after these preparations to meet the Indians were made, in July, 1652, it is recorded that "divers Indians from the Town of Oanancocke, have declared unto the Court, that through the affectionate love they have borne unto our Nation, have from time to time suffered us to locate upon their land for small satisfaction received of us for the said land, insomuch that the Indians are now straightened from their hunting (a great part of their relief consisting thereupon), and also they

have declared that lately divers of our own people have seated even unto the very Town of Oanancocke, which if they should part with they should wholly destroy the inheritance of themselves & their posterity." The court immediately ordered that no man should seat upon the north side of Pungoteague Creek unless just compensation be made to the Indians and be acknowledged as such by one of their chiefs or great men.¹

As a result of this order, we find Tepitiascon,² King of Great Nussawattocks calling in John Wise, a neighboring planter, to witness his deed of one thousand acres north of Pungoteague Creek, on October 27, 1653; and the same month the great men of Onancock made complaint to the Court that Randall Revell, Hugh Yeo, and John Jenkins refused to give them satisfaction for their land on Pungoteague Creek. The court ordered them to make payment, or appear at the next court to be held at Occahannock. Andiamon, King of the Occahannocks and Curratucks, also complained that Thos. Teackle, Jenkins Price and Richard Hill, had not paid for the land they bought from the Indians, and upon which they were then seated.³ They were also ordered to pay or appear before the court.

In April, 1654, the King of Matomkin voluntarily deposited one hundred arms' length of roanoke in part payment for the killing and stealing of hogs by his young men; and it was ordered by the court that he should further pay "one hundred and fifty arms' length of good and current roanoke, and sixty sufficient Indian mats to be made ready in three months." The King of Machipungo was similarly fined upon his own confession.

¹See Chapter on Aborigines.

²Same as Tepiapon.

³We have met Jenkins Price and Richard Hill before.

Such records very clearly show the great desire of the Indians of the lower peninsula to maintain peace, and prove what has been asserted before, that the natives who gave all the trouble were the border tribes.

IX

THE DUTCH WAR. THE EASTERN SHORE UNDER THE COMMONWEALTH. THE NORTHAMPTON PROTEST

In October, 1650, the Long Parliament passed an ordinance prohibiting trade with Barbadoes, Bermuda, Antigua and Virginia. The act recited that "these colonies were, and of a right ought to be, subject to the authority of Parliament; that divers acts of rebellion had been committed by many persons inhabiting Virginia, whereby they had most traitorously usurped a power of government, and set themselves in opposition to this Commonwealth." It therefore declared such persons notorious robbers and traitors, and forbade all correspondence or commerce with them.¹

The following year, in October, 1651, the first of the famous Navigation Acts was passed, forbidding any goods, wares or merchandise, to be imported into England except in English ships, or in ships of the country where the commodities were produced—a blow aimed at the carrying-trade of the Dutch, which eventually led to war between England and Holland. The passage of the Act of 1650, forbidding trade with Virginia, greatly offended the Dutch inhabitants of the peninsula; and the Dutch settlements to the north of Virginia were naturally not very kindly disposed towards the English flag.

While the Indian matters of the spring and summer of 1651 were in progress, Colonel Scarborough had sent one of

¹Campbell's History of Virginia, pp. 215-216.

his vessels, "The Sea Horse," up the coast and into the Delaware River to trade with the Indians. While in that neighborhood, the Dutch Commander, Andreas Hudde or Andrew Hudson, Deputy Governor General of New Netherlands, seized the vessel by force, lowered the King's colors, ran the Dutch flag up to the mast head, and carried the ship, John Ames, the Skipper, William Scott, the pilot, and the entire crew to Fort Nassau, pretending that they had violated the customs laws, although Governor Stuyvesant¹ had invited Scarburgh to trade there.²

Such an act aroused the enmity of Scarburgh, who, besides being an Indian fighter and a planter, was the largest merchant on the peninsula. He at once took the depositions of his men before the Northampton Court; and bringing the matter to the attention of the Governor and Council at James City, eventually recovered his ship, it is supposed. But such redress was not sufficient for Scarburgh, who bided his time to revenge himself upon the Dutch. Any and all Dutchmen were responsible for this outrage upon his property, and the whole nation was the victim of his ire.

Charles the Second, whom the Eastern Shoremen had declared, by proclamation, to be the successor of his father, had, at the head of a Scottish Army, invaded England and had been utterly overthrown at Worcester, September 3, 1651. Charles himself, not long after, with difficulty and in disguise, had escaped to France. In that same month the Council of State appointed Robert Dennis, Mr. Richard Bennett, Mr. Thomas Stegg and Captain William Clayborne, commissioners, to reduce the Colony of Virginia and the inhabitants thereof, to their due obedience to the Common-

¹Called Stepheasant in Northampton Records.

²See also mention of this affair in Va. Carolorum.

wealth. The commissioners at once took steps to accomplish the task assigned them. Richard Bennett, Clayborne and Stegg, had all been residents of Virginia. Bennett being a non-conformist and Round-head, had moved to Maryland when the troubles in England commenced; but dissatisfied with Baltimore's proprietary government, had returned to England. He had been a member of the Council of Virginia in 1646. Oddly enough, the daughter of this old Puritan married Colonel Chas. Scarburgh, the son of the noted royalist, Colonel Edmund Scarburgh.

In 1652, the war which had been brewing for several years between England and Holland, as a result of the former's unjust restriction upon commerce, broke out. Hostilities commenced in May and a series of brilliant naval engagements continued through the summer and fall, victory generally crowning the Dutch fleets. No part of Virginia was as much affected by this war as Northampton County, for the thread of Dutch influence was intimately woven into the fabric, political, social, and commercial, of the Eastern Shore. Not alone were they dependent to a greater extent upon the Dutch trade, so highly developed in that quarter, than the people elsewhere in the Colony, but a large portion of the Eastern Shore population was Dutch. One must readily see then how closely this war concerned the little peninsula.

Immediately upon the outbreak of hostilities, the States General sent messengers to New Netherlands and the West Indies, advising their good subjects that a state of war existed. The West India Company in turn advised the government in Holland to send a number of fast frigates to the Atlantic Seaboard to prey upon English Commerce, but as the English colonies were more than a match for New

Netherlands, it was suggested that no attack upon them be made. In August, the Directors of the Company sent Stuyvesant, the Governor at New Amsterdam, full instructions as to defense, etc., and suggested the employment of the natives as allies in case of emergency.

The ship which bore these instructions was by ill-chance captured by the English. Again the Company sent instructions to Stuyvesant, this time advising him to avoid conflicts, if possible, with the English to the north and south of him. Upon the intelligence, gained by the capture of his first orders, that Stuyvesant was instructed to ally himself with the Indians, wild rumors spread like fire, up and down the coast. It was said that a general massacre of the English colonists was to be instigated by the Dutch, who had already shown signs of aggression by certain acts of retaliation upon the English as a result of their restrictions upon trade. The Governor, however, although urgent measures were adopted to put New Netherlands in a state of defense, made no attempt to incite the Indians to war upon the English. On the contrary, appreciating the weakness of his dominions, he wrote to the authorities in New England and Virginia, expressing the most friendly feelings, both of New Netherlands and the West India Company, and proposed that the Dutch and English colonies should continue on a peace footing in spite of the hostile relations existing between the mother countries. But the excitement in the English colonies was too great to permit the people to see in such friendly advances anything but Dutch treachery, and the offer was repelled.

Shortly after the first report that the Dutch were inciting the Indians to rise against the English, the Northampton Court took cognizance of the threatened danger and pub-

lished an injunction against the Dutch inhabitants of the county trading with the natives, and a heavy fine of 500 pounds of tobacco was imposed upon any Hollander who should "trade, truck, or barter" with the Indians for "skins or furs." There seem to have been numerous complaints to the Court that the Dutch "do incite the Indians" to disorder and acts of enmity against the Accomackians, all, no doubt, unfounded upon fact and prompted in a measure by the jealousy of the English Indian traders of whom there were a great number.

While it does not appear that Bennett was appointed Governor of the Commonwealth of Virginia until April 30th, 1652, in the preceding January, and before the Old Dominion had surrendered to the representatives of Parliament, an order was received by the Court of Northampton from him, in which it was stated that England had declared war upon Holland and that the militia of the county was to be mustered and assembled. The same month a command was received from the General Assembly to seize any Dutch ships that came into the Northampton waters, as the peninsula was in great danger from the Dutch. Another communication soon followed from Governor Bennett, ordering such vessels to be seized, particularly one then riding in the roads at "Accomac." This was what the injured Scarborough was waiting for. His vengeance could now be satisfied under screen of the law. Indeed, was he not directed to proceed against his friends, the Dutch, by the highest authority in the land!

It seems that, about February, 1652, a New England merchant vessel, owned by several persons of Boston, and under the command of Captain John Jacob, a German, was riding at anchor in a creek near Nominy on the Potomac.

The good ship, "Ye Hobby Horse," owned by Colonel Scarborough and manned by eight well armed men under Mark Magge, the Master, had been privateering about the bay, under Scarborough's orders, looking for Dutchmen. The sole authority vested in the Colonel was that, incident to the orders mentioned, and, to protect himself, he had thoughtfully borrowed the commission of the Admiralty of England, issued to Captain Peter Wraxall of the British ship "Speedwell," lying in Occahannock Creek, when the "Hobby Horse" set out. To wait for a letter of Marque and Reprisal would have been tedious, and so long as friend Wraxall was willing to loan his commission the matter was satisfactory to Scarborough.

Dutch prizes seem to have been somewhat scarce, the nearest approach to one being the New England vessel commanded by a German Master; so the bold Magge, not being particular and in order not to return to the Colonel empty-handed, boarded the Bristol merchantman in the opportune absence of her Captain and took possession of the ship and the cargo in the name of England! Upon returning to his vessel, Captain Jacob was naturally surprised to find her in the hands of strangers and demanded to see the commission under which the seizure was authorized. Expressing an entire willingness to comply with all orders of the English government, yet he said that in the absence of proper authority, the boarding of his vessel was an act of piracy. In this the Captain was right, but the pirates became angry, sensible, no doubt, of their unlawful conduct, and one of them would have shot Jacob, had not Magge prevented him. Alarmed by the violence of his visitors, Captain Jacob entered his cabin to get a gun to protect himself with, and upon returning to the deck was struck over the head by

Richard Wayman, one of the boarders. The poor Captain, seeing himself helpless, begged that his ship and cargo be left alone, but was promptly informed that he had had a knock on one side of his head, and unless he remained silent, he would have his brains knocked out on the other side. Magge and his crew then took the ship away from Nominy and seem to have disposed of much of the cargo at their pleasure, Jacob protesting all the while against such conduct. Magge now became alarmed at his own unlawful acts, and decided to return with the questionable prize to his master, telling Jacob that he might go with him to Northampton and protest against the seizure of the vessel if he desired to. When the two vessels came to anchor in Occahannock Creek at the stern of the "Speedwell," Captain Jacob went aboard the British ship and demanded that his vessel and goods be returned to him, but Mr. Davis, the Master's Mate, declared that he had no authority to return them and in fact had been ordered by Captain Wraxall not to do so. Thus we see that Wraxall must have been in cahoot with Scarburgh. Despairing of recovering his vessel, Jacob, it seems, collected certain evidence, and in the records of the county for February, 1652, a long deposition appears about the seizure of the ship. In the investigation which followed the deposition, Mark Magge, the Master of Scarburgh's vessel, swore that "he came down from Occahannock and found the vessel anchored by the Mills (Nominy?) and that after they were anchored by the 'Speedwell' came aboard Argall Yeardley, Obedience Robins, Captain John Stringer and Mr. Lamber-ton, and as they were leaving the chirurgeon abused the master, and said 'that he had a horse at home, and thought to bring, but he was afraid they would have made him a Colonel, Major, or Justice of the Peace', and that he further

declared that most all of them here were Rogues or whores, or vagabonds, or thieves, or beggars"; and many other scandalous names.¹ From this deposition of Magge's it would seem that upon arriving in Occahannock, Captain Jacob sought the aid of the County Justices, Yeardley, Robins and Stringer, and that upon their failure to turn over to him his ship without further investigation, the surgeon of the New England vessel abused them, making light of their various titles and the fact that they all rode horses. At any rate, Colonel Robins, by that time at war with Scarborough, filed the following complaint about a year after his visit to the captured vessel, or in February, 1653:

"Capt. John Jacob, a High Germaine of Frankendall in the Palatinate, who in ye yeare 1651, engaged to ye State of England & embarked himselfe theire in a London or New England shipp whereof Capt. Robt. Thurston was commander & with a good quaintity of English goods came into New England, and thence with Mr. Cuttin unto Severne (now Annapolis) & returned to New England with John Bennett unto Boston, in New England, and by infailable testimony employed unto Virginia by Mr. Samll Mauericke, Mr. Robert Knight & Mr. Nathll Gardner three principal merchants livinge in Boston in New England came unto mee, and complayned that beinge in a New England belonginge unto ye above Mr. Rob't Knight, at Nominy in Patomack River att Anker, in a small creeke, aground there, came a vessell called ye hobby horse belonging unto & sett forth by Left. Coll. Scarborough with eight armed men; & in his absence did seize his vessel as they s'd for the State of England."

This complaint was laid before the Council by Robins; with what result we shall see later.

¹Massachusetts Historical Register, Vol. XL, p. 8.
Virginia Carolorum, p. 419.
Northampton County Records, 1652.

As a result of Bennett's orders, and the order from the General Assembly in January, 1652, the Dutch merchants and residents on the Eastern Shore were subjected to many hardships, and were treated roughly throughout the period of the Dutch War. Suspected of complicity in the general plot to massacre the English, they were regarded with suspicion by the other inhabitants of the peninsula, and instead of the belief in such a foul design upon their part growing less general, it had been greatly strengthened by the events which occurred in rapid succession in the more northern Colonies.

In 1653, Uncas, the Mohegan ally of the English in New England, had spread a report that Stuyvesant had been plotting to incite the Narragansetts against the New England Colonies, in accordance with the suggestion of the West India Company. The report received some confirmation from the fact that nine Manhattoe sachems sent messengers in March of that year to Stamford to apprise the authorities that about a month before, the Dutch Governor had solicited them to massacre the English. Excitement became more intense and an extraordinary meeting of the Commissioners of the United Colonies was accordingly held at Boston, in April. Witnesses were examined, and while but slight evidence tending to corroborate the terrifying reports was adduced, yet preparations were made to defend the Colonies; agents were sent to Manhattan to investigate matters; and rumors of the hideous Dutch plot again spread along the coast. Before long, the first report had been so exaggerated and magnified that the people of Virginia and Maryland, especially on the Eastern Shore, firmly believed that they were in imminent danger of being massacred by the combined forces of the Dutch and Indians. In the meantime,

Doughty, the English pastor in Flushing, who later moved to Northampton, and Van der Donck, his son-in-law, added to the general alarm by various insinuations as to the intentions of the Dutch.

Towards the latter part of 1652, not satisfied with the trade restrictions which had been imposed upon the Dutch inhabitants of the Colony, the people of the Eastern Shore were hatching up a plot of their own to prevent the execution of Stuyvesant's supposed design. Colonel Scarborough took the lead in this affair, and, if there were to be an Indian uprising, and massacre, he proposed to be the chief executioner. So alarming became the situation of the innocent Dutch inhabitants, that the cooler heads who deprecated violence against the latter appealed to the court to protect them. An investigation was held by the Commissioners of the County and many witnesses examined in order to ascertain the plans of those persons who conspired against the Dutch. Charles Scarborough, who was forced to testify under oath, said that his father could prove the Dutch plot and that Colonel Scarborough claimed that the English were justified in setting upon them as a measure of self-protection. With the rash Scarborough at the head of the excited people, the Dutch were truly in great danger, for he would have been delighted to commence their extermination. Appreciating this serious state of affairs, the Justices exerted their best efforts to counteract the danger, and what further action they took to protect the Dutch, we shall see later.

In March, 1652, Captain Dennis arrived at Jamestown and demanded the surrender of the Colony to Parliament, and after a slight delay, and no resistance, the capitulation was ratified on the 12th of the month. The articles of capitulation provided that the Colony of Virginia should be

subject to the Commonwealth of England; that the submission should be considered voluntary, not forced or constrained by a conquest upon the country; that the people should have and enjoy such freedoms and privileges as belonged to the free-born people of England; that the Assembly should meet as formerly and transact the business of the Colony, nothing, however, to be done contrary to the government of England; that full indemnity should be granted for all the offenses against the Parliament of England; that Virginia should have the ancient bounds and limits granted by the charters of former Kings; that Virginia should seek a new charter from the Parliament to that purpose, "against any that have entrenched on the rights thereof," an allusion, no doubt, to Lord Baltimore's intrusion into Maryland; that the privilege of having fifty acres of land for every person transported to the colony should continue as formerly granted; that the people of Virginia should have free trade, like the people of England, to all places, and with all nations, according to the laws of that Commonwealth; and that Virginia should enjoy all privileges equally with any English plantation of America.¹

The council appointed for the Commonwealth of Virginia included two members from Northampton County, namely, Colonel Nathaniel Littleton and Colonel Argoll Yeardley, and they were immediately dispatched to the strongly disaffected County of Northampton to obtain the signatures of the inhabitants to the following engagement dated the 11th of March, the day before the ratification of the articles of surrender. During the next thirty days, the signatures of one hundred and sixteen of the people of Northampton were secured:

¹Campbell's History of Virginia, pp. 217, 218.

"The Engagm't tendered to ye Inhabitants of Northampton County, Eleaventh of March, 1651 (O. S.)

"Wee whose Names are subscribed; doe hereby Engage and promise to bee true and faithfull to the Commonwealth of England as it is nowe Established without Kinge or House of Lords.

25 OF MARCH

Nathan'll Littleton	Nich. Scott
Obedience Robins	Anth. Hodgskins
Edm. Scarburgh	Jno. Nuthall
Edm. Douglas	Wm. Whittington
Peter Walker	Wm. Coake
Wm. Andrews, Sen'r	Ben. Cowdrey
Alex. Addison	Levyne Denwood
James Barnabye	Robert Andrews
Jno. Pannell	Ben. Mathews
Sam'll Sone	Jno. Stringer
Jno. Denman	Alex. Harryson
James Berry	Rich. Vaughan
Phillip Farrant	Thos. Johnson
Jno. Tilney	Dan'll Baker
Sampson Robins	Thomas Hint
Jno. Ellis	Thos. Higby
Jeffery Minshatt	Jno. Parkes
Georgine Hacke	Wm. Stanley
Rich. Hamby	Jno. Ayers
Edw. Harrington	Robert Harryson
Nich. Waddelone	Luke Billington
Argoll Yeardley	Randolfe Hutchinson
Wm. Waters	Nich. Granger
Wm. Jones	Thos. Truman
Thos. Sprigge	Alex. Madoxe
Jno. Dye	Henr. Armitradinge
X'ofer Major	Steph. Charlton
Wm. Munds	Jno. Parramore
Francis Flood	Jno. Robearts
Steph. Stringer	X'ofer Dixon
X'ofer Jarvis	Robert Marryott

TRICESIMO DIE MARTY 1651 (O. S.)

Edm. Mathews	James Johnson
Jno. Custis	Elial Hartree
Jno. Johnson, Jun.	Charles Ratliffe
Farmer Jones	Jno. Graye
Jno. Dixon	Jno. Willyams
Jno. Taylor	Randall Revell
Mathew Stone	Wm. Smyth
Tobine Selve	Wm. Custis
Rich. Nottingham	Tho. Miller
Nehemiah Coventon	Robert Baily
Francis Morgan	Jno. Whitehead
Wm. Ward	Armstrong Foster
Jno. Johnson, Senr.	Wm. Andrews, Jun'r
Edw. Southren	Sam'l Calvert
Jno. Merryfin	Francis Goodman
Dan'll Chadwell	Jno. Willyams
Jno. Teeslocke	Wm. Corner
Jno. Coulson	Rich. Smyth
Jno. Michael	Jno. Rutter
Jno. Cornley	Andrew Hendrye
Rich. Newell	Antho. Carpenter
Jno. Lee	Jno. Wise
Phill. Merrydayr	Wm. Taylor
Edw. Moore	Jno. Waleford
Jno. Brillyant	Mick Richett
Ambrose Dixon	Rich. Bruducke
Wm. Horose	Thos. Clarke
Robt. Blake	Thos. Crecro
Rich. Hill	Sam'l Jones
Jno. Hott	Hen. White
Edw. Marshall	X'ofer Calvert
Jno. Dolling	James Adkinson
Charles Scarburgh	Wm. Gower
Walter Williams	Wm. Boucher
Wm. Stephens	Jno. Johnson, Jr.
Jno. Thatcher	Wm. Jordan

Rich. Smyth	X'ofer Kirke
David Wheatley	Thos. Savage
Robert Berry	Sam'll Smothergall
Wm. Preeninge	Wm. Colebourne
Tho. Butterie	Alex. Maddoxe
Jno. James	Sam'l Powell
Tho. Price	James Brewce
Rich. Baily	Wm. Luddington
Rich. Hudson	Sam'll Robins
Rich. Alleyn	Jno. Garnell
Jno. Lewis	David Kiffyn
Jno. Johnson, Senr.	Jno. Browne
Wm. Gaskins	Rich. Kellam
Nicholas Jueyre	Jno. Edwards
Stephen Horsey	Wm. Mellinger
Jno. Robinson	Raph'll Hudson
Symon Bailey	Rich. Teggarr
Jno. Hinman	Samuel Goldfine
Jno. Coulson	Wm. Moultor
Phill. Mathews	Wm. Browne
Edw. Leene	

Recordantur vicesimo die Augusty Ano. 1652.

Teste Edm. Mathews, Cloc. Cur."

In 1647, when the order to return Burgesses was issued by the Governor, no call for representatives was made upon Northampton County. Indeed, from that time the County had had no representative in the Assembly except one Burgess in 1651. Yet a tax of forty-six pounds of tobacco per poll had been levied upon the Eastern Shoremen, of which they had bitterly complained. But these were not the only sources of dissatisfaction. Parliament, which at first had found much support on the peninsula, especially among the middle classes and the tradesmen, soon lost favor.

Such laws as the one of 1650, prohibiting Dutch trade and the Navigation Act of the following year, had almost entirely

destroyed the Parliamentary Party in Northampton. The small planters who did not own their own vessels were forced to pay exorbitant freight rates on their tobacco, and even then accept a much diminished price for the staple. The Indian scare had created the wildest excitement among the people, and the policy which the court officers had adopted of protecting the Dutch and threatening to punish those who committed acts of hostility against them, infuriated the more restive spirits of the community. For some time, the belief had been quite general among the inhabitants of the peninsula, that Northampton was to become a separate province, the conviction being heightened by the failure of the Governor to call for Burgesses. An intense spirit of independence had therefore grown up among the people and nothing in common was felt to exist between Northampton and the Western Shore. The royalist party, now greatly predominant, took advantage of such conditions to strengthen its hold. Appreciating the weakness of the Parliamentary forces in Virginia, Scarborough, who hated Puritans, seconded by other influential royalists, appealed to the people to resist the unjust burdens imposed upon them by the Assembly at James City, and to assert their independence of a government, in which their sole participation was to defray its expense. The agitators did not fail to extoll the virtues of royalty and the old government, and the people, already in an ugly mood, daily assembled at the wharfs and public houses to listen to the harangues of the incendiaries. After several days of such excitement, six prominent citizens of the County were selected by vote of the people to draw up a protest against their present condition and to act in all things as the best interest of the people might demand. Accordingly, on March 30th, when the Commonwealth of Virginia

was but eighteen days old, the following protest was drawn up by the People's Committee, which, while not signed by Colonel Scarborough, may be attributed largely to his influence. This obscure but historic instrument deserves the attention of those sons of other sections of America who proclaim themselves with so much candor to be the fathers of Independence:

"The xxxth of March, Ano. 1652.

"Wee whose names are und written this daye made choyce of by the Inhabitants of Northampton Countie in Virginia to give Informacons and Instruccons to ye gent Ellected Burgesses for this prsent Grand Assemblie (in relacon to such matters as conduce to our peace & Saftie). And for ye Redresse of those aggreevances wch (att prsent) wee are capable & sensible of in our Countie of Northampton.

"Imprmis. Wee the Inhabitants of Northampton Countie doe complayne that from tyme to tyme (pticular yeares past) wee have been submitted & bine obedient unto the paymt of publeq Taxacons. Butt after ye yeare 1647, since yt tyme wee Conceive & have found that ye taxes were very weightie. But in a more espetiall manner (undr favor) wee are very sensible of the Taxacon of fforty sixe pounds of tobacco p. poll (this present yeare). And desire yt ye same bee taken off ye charge of ye Countie; furthermore wee alledge that after 1647, wee did understand & suppose or Countie or Northampton to bee disioynted & sequestered from ye rest of Virginia. Therefore that Llawe wch requireth & inioyneth Taxacons from us to bee Arbitrarie & illegall; fforasmuch as wee had neither summons for Ellecon of Burgesses nor voyce in their Assemblie (during the time aforesd) but only the Singlur Burgess in September, Ano., 1651. Wee conceive that wee may Lawfullie ptest agt the pceedings in the Act of Assemblie for publiq Taxacons wch have relacon to Northmton Countie since ye year 1647.

"The Gent who are (att prsent) to speak in our behalfe

can sufficiently declare what is necessary to bee expressed to this effect wch wee referr to them.

"Our desire is that there may bee an annual Choyce of Magistrates in Northmton. And, if our Countie may not have ye privilege of a peculiar govrmt & propriety (att prsent) granted wth in our preincts that then you Request and plead that all Causes, Suite of Tryalls (of what nature soevr) may bee concerned (for future tyme), determined in our sd Countie of Northampton.

"If there bee a free & genr all vote for a Governor wherein they shall Ellect Mr. Richard Bennett Wee the inhabitants of Northampton Countie wth unanimous consent & plenary aprobacon Rendr our voyce for the sd Esq. Bennett.

"The people doe further desire that ye Taxacons for fforty sixe pounds of tobac a heead maye not bee collected by the sheriffs (until answr of the questions from the Grand Assemblie nowe summoned).

"Witness our hands subscribed the day & yeare aforesd.

Stephen Charlton

Wm. Whittington

Llevyne Denwood

Jno. Ellis

Jno. Nuthall

Steph. Horsey

"Recordatr Decimo Mense May, 1652, p. me Edm. Mathews, Clic. Cur."

This then was the Northampton Protest. Whatever may be the claims of other sections of the country to priority of concerted remonstrance against Great Britain in the following century, whether the palm be accorded the adherents of the Mecklenburg Declaration, of the Fincastle Resolutions, or the people of Massachusetts, the first organized remonstrance against British Authority in the form of a protest against taxation without representation was made by the people of Northampton County, Virginia, March 30, 1652, antedating all the others by one hundred and twenty-odd

years; and yet, not a single historian of our country has dwelt upon the importance of this Protest. It may be said that such a remonstrance, directed against local authority, is unworthy of the significance which the writer claims for it. And here let us ask, to whom was the Northampton Protest directed? Was it directed to the Commonwealth of Virginia? No. It was a direct protest against the authority of the Commonwealth of England, which, from March 12th, to April 30th, 1652, was represented by Parliamentary Commissioners, not chosen by the people, nor any section of the people of Virginia.

Events the next few months, however, only aggravated the complaint. On the 13th of June, 1652, Richard Husband, master of the ship "Hopeful Adventure," seized the ship of Mr. Walter Chiles, "who on January 24th, 1651-2 had sett sayle with his owne shipp" called the "Fame of Virginia," to Rotterdam and was "in the Road of Accomac" on the return to James City when the said Husband came up. Husband's pretext was that Chiles had no license from the Parliament and was bound with the cargo to Brazil. Chiles petitioned the Court of Northampton for relief, maintaining that the seizure was "contrary to ye peace of this countrye. And also contry to ye agreemt made by ye Comrs that were appointed by ye keepers of the Libertyes of England and to ye damage of ye petr towe thousands pounds sterl."

The Court, thereupon, ordered Husband to restore the ship and cargo, the seizure of which was pronounced "contrary to the treaty with the Parliamentary Comrs." But Husband sailed away with his prize, and the Court ordered such writings to be dispatched "as may be necessary to prosecute Husband before the Honble State of England."

While such important events were transpiring, the Court

had been busying itself with protecting the demoralized Dutch inhabitants. The people, under the leadership of the fiery Scarborough, were now getting beyond the control of the Commissioners who were forced to lay the unhappy state of affairs before the Council of 1652 and acknowledge their inability to handle the alarming situation:

“Wee the Commissioners of Northampton County received from the Dutchmen in generall (inhabitants of this County) wherein, they do not only complain, of a ruinous violence, suddenly to be acted upon them to their utter ruin, But also desire a declaration to your honors, the sense of their present condition, and their compliance and ready obedience to the State of England and all the laws established in this Colony. We do therefore certify that they do and have behaved themselves like honest men and legal subjects to the government they live under, having subscribed the Engagement, and performed all things, that is required of them in order to their obedience, from whereunto (in reason) they might expect protection. We are also of opinion, that unless they have an order now to secure them, not only they but the whole County (if not the whole Country) will be in danger of disturbance how sad consequences that may produce. We refer together with our opinions to your . . . judgment.”

This report was signed by Obedience Robins, Edward Douglas, Wm. Andrews, Thos. Johnson, Jno. Stringer, Wm. Jones, and Mr. Whittington. Effective steps seem to have prevented any concerted action against the unfortunate Dutchmen, whose departure would have been a desirable end to many, since much money was due them as merchants.

In May, 1653, Governor Stuyvesant of New Netherlands, in obedience to instructions from Holland to arrange, if possible, a treaty with Virginia, sent Van Tienhoven, the

Treasurer, and Van Hatter, one of the burgomasters of New Amsterdam, to James City to negotiate with Governor Bennett, but the Virginia authorities were not at liberty to make any such arrangements with the Dutch, and informed the Commissioners that the matter would have to be referred to the Council of State in England.¹ Not only were these Commissioners sent to negotiate a treaty, but to seek protection for the Dutch citizens of Northampton, grave fears for the safety of whom had been entertained by their friends of Manhattan. The Commissioners assured the Governor that no possible foundation for the rumors of an offensive alliance between the Dutch and the Indians existed, and as a result of this the danger which had confronted the Dutch inhabitants of the peninsula was in large measure averted.

In the meantime, the Justices had become involved in a disagreement among themselves, and Captain Johnson refused to join in their measures. So acute became the dissension of the Commissioners that the people themselves took up the matter, looking upon Johnson as their champion. The trouble came to a climax in June, 1653, when Captain Johnson assembled the people in Dr. George Hacke's old field and read aloud to them certain orders of the Commissioners of which he disapproved. Wild disorder followed, and Stephen Horsey,² who was one of the People's Committee, and who had subscribed his name to the Protest in their behalf, cried out that the Commissioners were a "company of asses and villyanes," and thereupon the throng voiced his sentiments by cheering vociferously and assumed

¹Brodhead's Hist. of N. Y., p. 559. O'Callaghan's Hist. of New Netherlands. Albany Records.

²Afterwards a prominent Quaker and citizen of Maryland.

a very defiant attitude towards the authorities.¹ Becoming greatly alarmed by such proceedings and realizing their inability to prevent a recurrence of such gatherings, the Commissioners determined to call upon the government at James City for support. The affair in Dr. Hacke's field was represented as a revolt and evidence was collected to bring the instigators to justice. Those citizens of the County, who had taken no part in the Protest nor in the subsequent disorders, now became greatly alarmed. Things were moving too rapidly in the wrong direction to suit the conservatives, who in turn met and selected a committee to protect their interests. Forthwith a petition was drafted, denying that the reported revolt was general among the citizens of Northampton, and setting forth that the disturbances of the preceding month were all due to the rumor that a great sum of money was to be raised by the Commissioners, in order to satisfy Mr. Walter Chiles for the loss of the ship taken by Captain Richard Husband.² But things had progressed to a dangerous state, and whether the revolt had become general or not the county authorities were utterly unable to cope with it, and appealed to the government again for immediate aid, whereupon the following measures were taken by that body in July:

"Whereas the paper subscribed by name of the inhabitants of Northampton Countie is scandalous and seditious and hath caused much disturbance in the peace and government of that County, It is therefore ordered by this present Grand Assembly, That all the subscribers of the said paper bee

¹See in Northampton Records, June 1653, affidavits of Thos. Harman-son, and Dr. John Severne. An Act of Assembly naturalizing Thos. Harmanson: "a German born in the Dominion of Bradenburg but now an inhabitant in Northampton County, professing Protestant Religion." Dated 24th of Oct. 1684.

²Northampton County Records. Henning's Statutes. William and Mary Quarterly, Vol. I, p. 189-193.

disabled from bearing any office in this country, and that Leift. Edmund Scarburgh, who hath been an assistant and instrument concerneing the subscribeing of the same bee also disabled from bearing any office until he hath answered thereunto, and the honourable Governor & Secretarie be intreated to go over to Accomack with such assistants as the house shall think fitt, for the settlement of the peace of that countie, and punishinge delinquents. (This order reversed by an order of Assembly, 26th March, 1658.)¹

"According to an order of this Assembly, upon the petition of Coll. Nathaniel Littleton, Coll. Argoll Yeardley, Major William Andrews, and some other commissioners of Northampton County, Master Speaker, Left. Coll. Edward Major, Left. Coll. Geo. Fletcher, Coll. Thomas Dew, and Left. Coll. Rob't Pitt are nominated as assistants to attend the Governour and Secretarie for the settlement of the peace of that county, and the punishments of delinquents there according to their demerits, the appointment of all officers both for peace and warr, the division of that county, and the hearing and determineing of the businesse of damages between Capt. Daniel How and Left. Coll. Edm'd Scarburgh, As also between Capt. John Jacob and the said Edmund Scarburgh, with all other matters and things necessary and incident for the preservation of the peace of that place, ffor which this shall be their commission, The charges which the said Commissioners shall be at, both in goeing, stayinge there and returneing, to be levied upon those persons that occasioned their repair thither."²

A few days after the passage of the foregoing acts by the Assembly, Governor Bennett, and the party of gentlemen selected to attend him in his investigation of affairs on the Eastern Shore, left James City for Northampton. One authority states that an armed force was taken over by the Governor to suppress the disturbance which Scarburgh had

¹Hening, Vol. I, p. 380.

²Hening, Vol. I, p. 384.

caused among the royalists,¹ but of such action no mention is to be found in the records of the County. If such was the case the force must have been a small one, in the nature of a military escort, as befitting the dignity of the Governor and his commission, and there was certainly no threatened conflict between the guard and the agitators.

Upon arriving in Northampton, the Governor immediately instituted a court of investigation on July 29th, and complaints were laid before this court as to the mutinous and seditious actions of certain individuals of the county, as being repugnant to the Government of the Parliamentary Commission. A number of the agitators were presented and fined three hundred pounds of tobacco, and held to be incapacitated from holding further office under the previous Act of Assembly. Among them was Captain Thomas Johnson, whose offense must have been more serious than that of the others, for he was fined five hundred pounds of tobacco and bound over to keep the peace. At this same meeting of the court the Governor approved the sale of a Dutch prize ship, the "St. John of Amsterdam," for fifty thousands pounds of tobacco. This ship with another had been captured on July 5th.

An order had already been sent to the court from James City to arrest Colonel Edmund Scarborough, who had been reported to have a large store of arms and ammunition on board of one of his Indian trading ships. The selling of arms to Indians was at this time a grave violation of the law. Troubles were springing up about the Colonel on all sides. He was getting deeper and deeper in the mire. A less brilliant and less able man would have assuredly succumbed beneath the pressure brought to bear upon him by

¹Frank P. Brent, Vol. XI, Va. Hist. Collect., p. 188.

his enemies. Shorn of his political offices by the Assembly, charged with seditious conduct, indicted for a grave breach of the law, with the "Hobby Horse" affair still hanging over him, and a serious suit for damages brought by Captain Howe still pending, he was in a sad predicament. The aspect of affairs was too threatening for the Colonel's liking, so he decided to leave the jurisdiction for a time. Entrusting his affairs to the care of his friends, to be untangled by them as best they could manage in his absence, he disappeared from the county. The various charges and suits against Scarburgh, and the task of quieting the inhabitants, occupied the attention of the Governor for over a year; the greater part of which time he spent with his suite on the peninsula. Scarburgh himself, it is thought, proceeded to New Amsterdam and then to Boston, at both of which places he had commercial interests. It is very probable that he was the agent of the Northampton planters who in November, 1653, notified the Dutch in Manhattan, that if they would send their ships to Smith's Island, just off the Cape, a large supply of tobacco would be found awaiting shipment. At any rate, as the Dutch were as anxious to buy as the desperate planters were to sell, arrangements were immediately made by the former to secure the crop.

The following month, the Governor and Council of New Amsterdam "resolved for the promotion of so laudable an object, as the continuation of peace, increase of commerce & cultivation of correspondence between old friends and co-religionists," to send once more a commissioner to Virginia and authorized and commanded "the Reverend and very learned Mr. Samuel Drisius, Minister of the Gospel," to go and inquire of the Governor and Council of Virginia whether they had heard from England in relation to the

proposition which had been made in the early summer. They deputed him to propose that if no directions had been received, "a provisional continuation of commerce and intercourse between the two places" might be made, to be terminated after six days' notice to merchants and traders, to protect them from loss. While Drisius was unable to secure a treaty, an understanding was arrived at between New Netherlands and Virginia, and the way was paved for a formal treaty in 1660.¹ Not altogether disappointed by his failure to secure the treaty which he was sent to negotiate, the good Domine repaired to the peninsula, where he was assured of a kind reception and not only preached the Gospel, but arranged for the purchase of the tobacco crop, then stored on Smith's Island; a deal, mutually advantageous to the planters and the Dutch, though in direct violation of the law, and a more or less questionable proceeding on the part of a minister.² His mission to the Eastern Shore at this time was no doubt in part due to the desire of the Dutch to protect their people there. It is possible that the explanation of this reformed churchman being allowed to preach in Hungar's Parish is that he was allowed to do so in order that he might explain to the people the false light in which his countrymen had been placed by the unfounded reports as to their designs. At any rate, his mission, so far as it regarded the tobacco crop, had a conciliating effect, if his words from the pulpit had none, and we hear no more of troubles with the Dutch inhabitants.

On May 29, 1654, a committee of magistrates appointed to investigate the matter of selling arms to the Indians re-

¹Brodhead's Hist. of N. Y., 562, 683. O'Callaghan's Hist. of New Netherland's, Vol. II, 236, 237. Albany Records, Vol. IV, pp. 100, 107, 111, 117. Vol. VII, p. 328. Vol. IX, pp. 57-59.

²See Chapter on Early Church.

ported that certain ships and the house of Colonel Scarburgh had been carefully searched and that no powder, shot, nor arms had been discovered, except a chest of fowling pieces belonging to a Mr. Bateman. Scarburgh had, no doubt, succeeded in concealing the contraband goods.

During the preceding year, the inhabitants had requested that the Court should be held in turn at Cheriton Creek, Occahannock and Hungar's, or the Horns, and so on in turn, and that these should be the polling places for the election of Burgesses. It was at the Court of July 8th, 1654, convening at the last named place, Governor Bennett, the Secretary and eight Justices being present, that the Sheriff complained that "whereas there are divers orders, sequestrations & executions, against the estate and person of Lieft. Col. Edmund Scarburgh, yet the said Scarburgh hath in great contempt carried part of his estate so sequestered out of the Colony, and withall gone out of the Colony, and wholly neglected either to pay his debts, or answer the suits. Therefore the said Sheriff humbly prayeth that he may be impowered to attach the estate of the said Scarburgh any where remaining in the County of Accomacke; which the Court condescends unto."

Before leaving the County, Scarburgh had leased his estate called "Occahannock" and sold a number of his vessels to a Mr. Bunton of Boston. The lease was for fourteen years or until his son Edmund arrived at his majority. Such hasty preparations for departure seem to indicate that the time of his return was very uncertain. While in New Amsterdam or Boston, however, it is quite certain that he received assurances as to a favorable adjustment of his affairs, should he return to his home, otherwise he would not have placed himself within reach of the authorities,

with such serious charges outstanding against him. Then, too, an alliance between his son, Colonel Charles Scarburgh, and the Governor's daughter, bore some weight in the deliberations of the Court. It is true that the governor had appointed John James in October, 1653, to fill the office of County Surveyor, which Scarburgh had previously held; but this was because of the disability imposed upon him by the Assembly and his absence from the County. Land boundaries had become much confused and gave rise to such unending contentions, that a new surveyor became necessary and he was ordered to make a record for the court of all bounds. One of his first entries was, "cursed be the man that removeth the mark of his neighbor's land." It does not take much of an imagination to see in this entry an admonition to Scarburgh himself, who had evidently been careless in the keeping of his records.

By August, 1654, Scarburgh had returned to take charge of matters himself, and with rare skill he made a flanking move to divert the attack of his enemies. In other words, he at once instituted suit against Major General Edward Gibbons, a Bostonian, a New Englander, a foreigner, with whom he had owned the trading ship "Artillery," which Gibbons had kept without making returns. Gibbons' property in Northampton was forthwith attached. And what did this mean? The Colonel's ship, "The Ann Clear," while loading in Occahannock Creek with tobacco, had been robbed of certain goods, during his absence? Can it be that Captain Jacob, another despised foreigner, had retaliated? At any rate the court was asked to investigate the outrage to a citizen of Northampton, and proceeded to do so. The famous Colonel, skilled in mathematics, trade, politics, and human nature, was too much for them all. The allied forces of

Parliament and the Dutch were out-manuevered and utterly routed by the generalship of Scarborough, and by the Grand Assembly held at James City, March 26, 1655, before which he appeared on a warrant, he was "acquitted of all charges & crimes made against him for matters of trade, & etc., and further reinvested in such offices & employment as he before held in the Colony."¹

Unscrupulous have we called Colonel Edmund Scarborough? Yes. But brilliant too; exceedingly brilliant, and a power in his day. The charges of piracy, mutiny, sedition, selling weapons to the Indians, and debt, rolled from his back, and again we find him as Surveyor General of the Colony taking up the duties of his office; but this time under the authority of a new master, Parliament. Scarborough's reputation was not a local one. His ships had touched at every port in New England, had frequently visited New Amsterdam; had traded upon the Hudson, the Delaware, and as far south as Florida. The owner of these vessels had an inter-colonial reputation as the most enterprising merchant in the mother colony of Virginia; and he himself had spent much time at the various ports of the Atlantic Coast, while establishing and building up his trade. The sweeping decree of the Assembly, which released him from his tormentors and rehabilitated him in the eyes of the law, enabled him to set out for New Amsterdam to reinstate himself in the good graces of the Dutch, who were naturally much offended by his treatment of them. Although his fame had preceded him to Manhattan, during the summer he succeeded in reestablishing himself in that quarter, by buying there a large number of slaves, thus placating the greedy Hollanders, who carried on a profitable traffic in

¹Hening, Vol. I, p. 380. Also Act of Assembly, 1668.

human flesh. But the Dutch authorities were wise enough to appreciate what might happen if Scarburgh were permitted to enter the Delaware River, in view of the treatment his ship, the "Seahorse," had received there four years before; so while he was extended the privilege of trade with Manhattan, he was not allowed to take his slaves away with him until he had given bond that he would not enter the Delaware, nor stop on his way south to trade with any of the other Dutch plantations.¹

¹Neill's *Virginia Carolorum*, p. 240. Northampton County Records.

X

THE QUAKERS. THE MARYLAND BOUNDARY TROUBLES AND THE ASSATEAGUE WAR

The population of Northampton County in 1653, may be closely estimated. The white tithables at that time numbered five hundred and included only males over eighteen years of age.¹ Four times the number of tithables would be considered a safe estimate of the population, giving the county about two thousand inhabitants exclusive of the Indians. From this estimate we see that the population had doubled in ten years.

The feeling of independence, common to the people of Northampton, had increased, rather than diminished, since the suppression of the disturbances incident to the protest of 1652. The grievances set forth in the protest had made some impression upon the Assembly in spite of the general condemnation of that paper, and also of the fact that it had been characterized as seditious, for by Act II of the General Assembly of 1655, dated March 10th, it was provided that the people of Northampton were to have the liberty of constituting laws and customs amongst themselves and to proceed according to their own convenience with respect to manufactures and the Indians, so long as their regulations were not repugnant to the laws of England, provided that all such regulations should be confirmed by the Assembly.² On

¹Virginia Magazine of History and Biography, Vol. V, p. 125.

²Hening, Vol. I, p. 396.

March 31st, of this same year, the Assembly ordered that the Court of Northampton should be held on the 28th day of the month, alternately in the upper and lower part of the county. From the head of Hungar's Creek to the widow Billiott's house was to be the dividing line, this house being in the lower precinct; and distinct commissioners for each division were to be designated.¹ On March 7, 1658, the Assembly passed the following act:

"Whereas an act of Assembly had formerly provided, that in regard of the greate distance between Northampton Countie and James Cittie, that noe appeale should lie from the said Countie, to the quarter courte, under the value of three thousand two hundred pounds of tobacco or thirty pounds sterling, It is Hereby Enacted and Confirmed, That for the reasons aforesaid no appeale be hereafter made, from thence, nor admitted in the quarter courte, unless it exceed the valew aforesaid."²

On May 7, 1655, before the meeting-house designated for the court for that month, the Act of Assembly of the previous March requiring a place of mart was read to the people of Northampton. After much debate and consultation, a vote was taken, and Occahannock Creek was selected as the place for the official port and as the site for the church or meeting-house, the Clerk's and Sheriff's offices and the prison and other public buildings directed by the Assembly. It was determined to buy the land of Richard Kellam as the best site for these structures.

Into such close relations were many of the people of Northampton thrown with the Marylanders that it became necessary for Governor Digges to issue a proclamation, dated

¹Hening, Vol. I, p. 409.

²Hening, Vol. I, p. 520.

June 9, 1655, forbidding Virginians to meddle with the troubles of the adjoining colony. Already disputes as to the boundary were giving much trouble to the authorities of Northampton, for many persons were really unable to tell whether they were citizens of Maryland or Virginia; and others took advantage of the situation to elude the tax collectors and the sheriff.

Toward the latter part of 1657, a ship arrived at Jamestown with Thomas Thurston and Josiah Cole, the first preachers of the Society of Friends to come to Virginia. They were promptly arrested as disturbers of the peace and imprisoned, but being soon released they repaired to Maryland. Soon after the arrival of Thurston and Cole, Quakers began in great numbers to make their appearance on the Eastern Shore of Maryland, and in the northern part of Northampton, where population was comparatively scarce and where they could establish themselves without much interference.

The enmity of the churchmen of Northampton was early aroused by these newcomers, and vigorous measures were taken to drive them out of the county. It was made an offense to hold any friendly intercourse with them or to deal with them in any way. On January 29, 1657, before Thurston or Cole had arrived in the Colony, Henry Vaux was arrested and brought before the court of Northampton for entertaining William Robinson, Quaker, at his house; and Robinson was ordered to be sent across the Bay to the Governor in custody of the Sheriff. Vaux himself was to be dispatched with him in case he persisted in his relations with the Quakers.

William Robinson was perhaps the most conspicuous Quaker Missionary in Northampton, and held conventicles

in many of the planters' homes. His influence must have been very great, for it extended to all parts of the Colony. He seems to have met with the usual trials of the missionary in a hostile land, for six of the fourteen months he spent in Virginia were passed in jail. Robinson continued his activity in importing his brethren whenever he was at liberty, and under the pretense of transporting them to Paxtuxent, he would land them at Nassawaddox, where they were received by Levin Denwood, who provided a ten-foot log cabin for a house of worship. This was probably the first Quaker meeting-house in Virginia, and continued to be used as such until converted into a wheat barn. A much better structure was erected later at Nassawaddox, for after the Act of Toleration, passed in 1688, George Brickhouse, of Northampton, left to the Quaker sect an acre of land surrounding the meeting-house, and Mrs. Judith Patrick bequeathed thirty shillings for the repair of the building.¹

The Quaker Colony on the Eastern Shore must have increased rapidly, for in March, 1660, the Virginia Assembly passed very stringent laws against these strange people who were accused by the Accomackians of slandering the clergy, of defying the laws, and of uttering blasphemy. The records show evidence against them all of denying the incarnation of Christ, and against some of speaking of God as "a foolish old man." Such words very naturally aroused the bitter opposition of the other settlers and brought down upon the Quakers' heads all the harsh treatment of which religious hatred and intolerance are capable.

The preamble of the Act of 1660 describes the Quakers as "an unreasonable and turbulent sort of people, who daily

¹Northampton County Records, Vol. 1683-89, p. 400; Vol. 1689-98, p. 435.

gather together unlawful assemblies of people, teaching lies, miracles, false visions, prophecies, and doctrines tending to disturb the peace, disorganize Society, and destroy all law, and government, and religion." Masters of vessels were prohibited by the act from bringing in any of that sect, under penalty of one hundred pounds of tobacco; and if any were imported they were to be apprehended and committed until they should give security that they would leave the Colony. If they should return, they were to be punished, and upon returning a second time they were to be proceeded against as felons. No person should entertain Quakers that had been questioned by the Governor and Council; nor permit any assembly of them in or near his house, under the penalty of one hundred pounds sterling; and the publication of their writings was prohibited.¹ For the violation of this law, William Colbourne, Henry White, Thomas Leatherbury and Ambrose Dixon were arrested and sent to James City for a hearing before the Council.

Behind such a law, it is easy to detect the influence of our devout and tolerant clergy. It was only human nature, however, that these teachers of God's word should exemplify their maxims of love and charity by striving to destroy all who did not conform to the established church. This law not only countenanced public persecution, but directly encouraged it, until the poor Friends cried out in the wilderness with much truth that "the Indians, whom they judged to be heathen, exceeded the whites in kindness, in courtesies, in love, and mercy unto them, who were strangers." Are we not constrained to cry out with them, O Christ, what sins are committed in thy merciful name!

¹Hening, Vol. 1, p. 532-3.

So harsh was their treatment at the hands of the Accomackians that most of these poor persecuted creatures moved across the boundary into Maryland, where they were handled not less tenderly by their brethren, the Catholics.¹

By the latter part of the century, those who withstood the trials imposed upon them seem to have won the respect of the Accomackians, for, between 1680 and 1690, there were Quakers living quietly and unmolested in Accomac. It is on record that Thomas Brown and his wife, though Quakers, were yet of such known integrity that their affirmation was received instead of their oath. Their home was "Brownville," on the seashore of Northampton, where they were visited by many distinguished Friends from Philadelphia, who came to have fellowship with them in their peculiar mode of worship.² Mr. and Mrs. Brown were the ancestors of the Eastern Shore Upshurs, one of whom, the late T. T. Upshur, frequently quoted in these pages, lived at "Brownville," where he died in January, 1910.

During the year 1659, the Indians seem to have given much trouble to the authorities of Northampton County, or perhaps it would be more accurate to say that the Accomackians were a source of great trouble to the Indians. The records of Maryland and Northampton County contain numerous complaints from the natives who were being pushed farther and farther north by the whites. They declared that their land was taken from them and that their crops were destroyed by the herds of cattle and horses which roamed over the country at large. Receiving no redress, some of the Assateagues committed depredations upon the whites by way of retaliation.

¹See Founders of Maryland, Neill.

²Meade's Old Churches, etc.

The Assateagues inhabited the country about where the Accomack and Maryland boundary is described on the map. The larger portion of the tribe lived on the Maryland side.

What particular offenses they were guilty of, at the time in question, is not known, but on the 28th of August, 1659, Colonel Edmund Scarburgh wrote the Governor of Maryland from Occahannock that he had been ordered by the Governor of Virginia to inform him of his plans of campaign against the Assateagues, and to seek his support and coöperation.

"In ten days," wrote Scarburgh, "I shall leave here with three hundred men and sixty horses, sloops, and all other things necessary for the campaign, and arrangements have been made for a similar supporting party."

Since the Indians were harder to catch than to conquer, it was his plan of campaign to establish a garrison on the seaside near the head of the Wicocomoko¹ River and maintain himself in the heart of their country, and while preventing them from planting corn, hunting and fishing, he would also try to prevent other Indians from receiving the Assateagues, so as eventually to starve them into submission. Scarburgh suggested that for the present it would be well to make war upon the Assateagues only, but thought it might be well also for the Governor of Maryland to awe the Nanticokes and assist him in preventing all intercourse between them and the Assateagues. He then, assuring the Governor of his earnest support, called attention to the fact that this was a most auspicious opportunity to execute the foregoing plans.²

¹Wicocomoko—Where the houses are building.

²Proceedings of Maryland Council, 1657-60, p. 379.

The Governor of Virginia had a few days before dispatched the following communication:

“For the honnoble Governor and
Secretary of Maryland. These.

“The concearne of saftie depending on those persons in trust directed the Intelligence of our present designes against the Assateague Indians and Confederats, which we have accommodated with sufficient forces, now presumeing the advantages of this opportunity lying before you reasons politicall, will press your Endeavours to assault the comon Enemy who soe long triumphed in the ruines of Christian bloud, the Warr on the Sea Side wilbe on our parts prosected, and if the Nanticoke and Confederats be the subject of your like Designe, it may if not utterly Extinguish yet sufficiently Subject the Insolencies of those Indians who now despise the English Honnour: Use and improve this from

Yorn humble Servant,

SAMUEL MATTHEWES.

For the honnoble Josias ffendall
Governor of Maryland. These.”¹

It took this communication a month to reach Governor Fendall, who immediately replied that he hoped his failure to give a definite answer then would not be taken amiss, for before he committed himself he would like to lay the matter before his council.²

The following month, after the matter had been submitted to the council, Governor Fendall wrote the Governor of Virginia to the effect that, since Virginia only contemplated a war upon the Assateagues, and had not asked for assistance against them, he did not see what he could do, for the Marylanders had no just cause of war against the Nanticokes.

¹Proceedings of Maryland Council, 1657-1660, p. 379, 380.

²Ibid.

Furthermore, he did not know the cause of war between the Virginians and the Assateagues, but assured the Governor of Virginia of assistance on all just and proper occasions.

The expedition upon the part of the Virginians was not abandoned, and the Assembly at Jamestown on March 13, 1660, made an appropriation to defray the expenses of the "late war in Accomack."

"Ordered that seventy thousand five hundred pounds of tobacco, the same allowance of the souldiers that were carried over to Accomack, be also paid to the inhabitants of Accomack for the full charge of all the late warr, Provided that twenty-two thousand six hundred eighty-one pounds of tobacco be deducted out of the same, It being paid for the debt long since due from the said county to the publique."¹

From the above, it would seem that some of the men of Scarborough's force were sent from the Western Shore. That such a step was necessary, seems highly improbable. The Assateagues could not have numbered more than two hundred warriors at the most. But Colonel Scarborough loved war, as we have seen, and was determined to extirpate the Indians, and no doubt used his influence at Jamestown to secure the government's assistance.

In accordance with Lord Baltimore's directions to colonize the lower part of the Eastern Shore of Maryland, Philip Calvert, in 1661, appointed Colonel Edmund Scarborough of Accomac,² John Elzey, and Randall Revell, Commissioners, to grant lands there to such persons as would take the oath of fidelity to Lord Baltimore. About this time, settlers were taking up the land on the Accomac side and driving the Quakers across the boundary. This line was not really well defined. It had been a subject of dispute for years. Shortly

¹Hening's Statutes, Vol. I, p. 551.

²Archives of Maryland, Council Proceedings, 1636-1667, p. 452.

after the Maryland Colony was planted, there seem to have been encroachments upon the Accomac territory south of Watkin's Point. It appears that Governor Harvey acquiesced in this trespass on Virginia's land, for in 1638, with the advice of Council, he issued a proclamation declaring the Eastern portion of the boundary of Virginia (that between Maryland and Accomac) to be the river Ananock,¹ and commanding the inhabitants not to trade with the Indians north of this limit, which was far south of Watkin's Point. Soon after this, Virginia took unopposed possession of Smith Island, which lies in the Chesapeake Bay, far north of any possible line described in the Maryland charter. Virginia still holds a portion of this island.

A letter from the Protector to the Virginia authorities, written just previous to the downfall of the Commonwealth, contained an injunction against further contentions concerning the matter.²

The laws of conformity had pressed so hard upon the Quakers in Accomac that they were driven to the north and west of the mouth of the Pocomoke. This river runs from the northeast of the peninsula to a point just east of Cedar Straits, and then it suddenly broadens out into a sound of considerable width at its mouth. That part of its north bank embraced by the lands of the Little Annemessex River, between that and Pocomoke Sound, consists mainly of salt marshes, not then desirable for settlement, and not easily accessible from Accomac. The Quaker refugees from Accomac congregated in the Little and Big Annemessex territories as far up as Manokin River. But eight square miles of this territory, claimed by Virginia, was terra firma or

¹Onanock Creek.

²Hening, Vol. I, p. 426.

arrable land, a difficult place for the Accomac Sheriff to reach for the collection of taxes or other purposes. Lord Baltimore's deputies knowing this, began to encourage this settlement and to grant patents in that region. No patents were sought by the Quaker refugees east of the Pocomoke River, and thus on that side of the stream no dispute arose in later years. Colonel Scarburgh, who, as we have seen, was one of Baltimore's Commissioners to issue these patents, finding that he was aiding in stripping Virginia of her territory, and that his employment by Maryland was incompatible with his official duty as Surveyor General of Virginia, exposed the policy of Lord Baltimore to acquire that territory by settlement; and Virginia soon took action, as we shall see later, to protect her rights. Colonel Scarburgh was, unquestionably, trying to extend the northern boundary of Northampton as he did the southern boundary of Accomac in 1662, when that county was formed, for he owned a tract of three thousand acres in the disputed territory which was subsequently held to be on the Maryland side of the boundary. His employment by the Governor of Maryland was due to the fact of his ownership of this land.¹

¹For land in Maryland owned by Accomac citizens, see Proceedings of Maryland Council, Vol. II.

XI

THE RESTORATION. ACCOMACK COUNTY FORMED FROM NORTHAMPTON. THE CALVERT-SCARBURGH LINE. THE PIRATES

The administration of the Colonial government, under the Commonwealth of England, was judicious and beneficent; the people were free, harmonious, and prosperous as a whole, and while Cromwell's sceptre commanded the respect of the world, he exhibited towards the infant Colony of Virginia, in spite of its known royalist sentiment, a generous and politic lenity, thereby disarming opposition.¹

Governors Bennett, Digges and Matthews were generally popular executives and won the confidence and respect of the Virginians. Opposition to the authority of Parliament on the Eastern Shore gradually died out as a result of Bennett's prolonged presence on the peninsula and the determined, yet just, manner in which he controlled the situation. Bennett had been quick to realize the danger of the smouldering fuse, which, allowed to burn, would soon spread to the magazines of pent-up loyalty. The task of extinguishing the spark, however remote and insignificant it may seem to have been, was not deputed to others, and in such a course the Governor was unquestionably wise.

Richard Cromwell resigned the Protectorate on the 22nd day of April, 1659. Virginia had actually been under the Parliamentary Government but seven years, one month and ten days. Governor Matthews had died in January, 1659.

¹Campbell's History of Virginia.

England was without a monarch and Virginia without a Governor. The Virginia Assembly, convening on the third day of March, 1660, declared by their first act that as there was then in England no resident, absolute, and generally acknowledged power, therefore the supreme government of the Colony should rest in the Assembly. By the second act, Sir William Berkeley was elected Governor, March 21st, and for the first time represented the people, who, for a little more than a year, had been technically independent of England. In electing Berkeley Governor, to hold again the office which he had formerly occupied as the appointee of the King, the Assembly took the precaution to throw about him some restriction of his power, for he was required to call an Assembly once in two years at least and was forbidden to dissolve the Assembly without its consent. Thus it will be seen, that, while the people were influenced by their royalist sentiments in the selection of their governor, they were not so blinded by their enthusiasm as to lose sight of their rights. Indeed, such has been the history of Virginia. All hail to the King when the King was with them, but let him overstep his bounds, and his loving and loyal subjects were quick enough to raise their hands and voices against him.

In the Assembly of 1659-60, referred to, Northampton County was represented by Colonel Edmund Scarborough, Major William Waters and Lieut.-Col. John Stringer.¹

On the 8th of May, 1660, Charles II was proclaimed King of England, and on the 29th of May, transmitted a new commission dated July 31st, 1660, to his faithful adherent, Sir William Berkeley. From that date, the Colony was under a royal Governor and no longer had its own representative executive.

¹Hening, Vol. I, pp. 9-16.

There is no list of members of the first Assembly called by the royal Governor which convened October 11th, nearly four months after the Restoration, but in view of the short period which intervened between this and the preceding Assembly, it is highly probable that the same Burgesses appeared from Northampton.

The second Assembly after the Restoration, which convened March 23, 1661, and is known as the Assembly of 1661-1676, lasted by various prorogations and adjournments for fifteen years. Though there was no general election during this period, the membership of the House of Burgesses changed from time to time owing to deaths, resignations, etc. The records of the membership are incomplete, but we find Burgesses from the Eastern Shore in the session of September 10, 1663, as follows: Northampton—Lieut.-Col. Wm. Kendall, Major Wm. Andrews; Accomac—Devoreux Browne, Hugh Yeo.¹ In the session of October 23, 1666, Northampton was represented by Lieut.-Col. Wm. Kendall and Captain John Savage,² and Accomack by Colonel Edmund Scarborough and Hugh Yeo.³

Observe that representatives from two counties on the Eastern Shore appear. This fact alone should clear up the doubts existing as to the date when Accomac County was formed. Even Mercer in his general abridgment of the Laws of Virginia⁴ states that Accomac County was formed from Northampton in 1672; and many other writers have fallen into the common error.⁵

¹Hening, Vol. II, pp. 196-197.

²Capt. John Savage of Savage's Neck, son of Ensign Thos. Savage.

³Hening, Vol. II, pp. 249-250.

⁴Mercer's Abridgment, p. 61.

⁵Martin's Gazetteer of Va., p. 111. Howe's Hist. Collection, p. 163. Johnston's Memorials of Va. Clerks, pp. 1, 256. Long's Va. County Names, Green's Genesis of the Counties, and Hening himself in a note on page 197, Vol. II.

"Error in history," says Charles Campbell, "is like a flock of sheep jumping over a bridge; if one goes, the rest all follow."¹ And so it has been with many of our historians and writers on the point in question. Not one of them has taken the trouble to weigh the facts, each preferring to evade the point altogether, slur over it, or continue a palpable error upon the pages of history by accepting without question what another has written. Hening, in a foot-note to the list of Burgesses for 1663, which is contained in a manuscript purchased by Thomas Jefferson from the executor of Richard Bland,² does his best to overcome the evidence he himself has given us as to the existence of two counties on the Eastern Shore at that time.

It is a strange thing that no definite and specific record of the formation of Accomack County from Northampton is to be found, but the facts seem to be as follows:

As we have seen, the Eastern Shore peninsula was commonly referred to as Accomack, while its official name was Northampton. Even in the Acts of the Assembly, Northampton had been called Accomack.³ Such a practice obscured the facts and has led to a general misunderstanding. We have also seen how, when the Assembly ordered the Governor to proceed to the Eastern Shore in July, 1653, he was directed to look into the "division of the County."⁴ As a result of the Governor's recommendations, the act of March, 1655-6, providing for two jurisdictions on the peninsula, followed. There was clearly some necessity for a court in the upper part of the peninsula. In addition to this, there was unquestionably a strong party feeling, between the roy-

¹Campbell's History of Va., p. 243.

²Hening, Vol. II, pp. 196, 197.

³Hening, Vol. I, p. 409.

⁴Hening, Vol. I, p. 384.

alists and the Parliamentary sympathizers, and the facts seem to indicate that the former were more numerous in the upper section. Another factor entering into party alignments was the antagonism between the Puritans and the Cavalier element, the former being composed of the middle classes, more numerous to the south where population was the densest. It will be interesting here to look into the disposition of the great families, who, almost without exception, were royalists.

There seems to have been, at this time, a serious split in the royalist party. Colonel Argoll Yeardley, Obedience Robins, Nathaniel Littleton and others claimed that so long as Parliament had overthrown the King, and was in actual control of the Colony, the best interests of the County demanded that they should uphold the government *de facto*. Accordingly, Yeardley and Littleton served in the Council under the Commonwealth and opposed the extreme royalist faction, headed by Scarborough, who desired to secure the independence of the Eastern Shore from the Colony of Virginia. Such a division among the royalists was not restricted to the Eastern Shore, and for many years two factions of that party were to be found in the Colony, until Bacon caused a new alignment. With their loyalty to the King in no degree diminished, Yeardley and his party contended with much truth that by serving under the new government in high official positions they were better able to serve the interests of their party than by sulking at home. Whatever their sentiments may have been, Yeardley and Robins were, first and last, law and order men, and were determined to overthrow Scarborough and depose him from his rash leadership. In

other words, their party was composed of the conservatives, while Scarborough led the radicals.¹

Before the momentous task, which Yeardley in particular set himself about, could be accomplished, both he and Nathaniel Littleton died in 1655 and 1654 respectively. Their sons, Argoll and Southey, both inclined to the extreme royalist wing, so that Colonel Obedience Robins was left to contend single-handed with Scarborough. But while he lived, the good Colonel was equal to the task, and as we have seen, never hesitated to bring his powerful adversary to justice when the facts warranted such action. Such uncompromising opposition to Scarborough naturally won Colonel Robins the support of the Puritan element of the middle classes, which greatly augmented his strength. After the death of Yeardley and Littleton, well might Scarborough have dwelt upon the lines:

“Knowledge, will—

These twain are strong, but stronger yet the third,

Obedience;—’tis the great tap-root that still,

Knit ’round the rock of duty, is not stirred,

Though heaven-loosed tempests spend their utmost skill.”

In lower Northampton, the leading royalists were now the Yeardleys, seated on Mattawaman Creek, the Savages on King’s Creek, the Robinses on Cheriton Creek, the Kendalls, Whittingtons and Charltons about Hungar’s Creek, and the Upshurs at Wilsonia on Nassawattocks Creek. North of Nuswattocks Creek and in the section of the peninsula which afterwards became Accomac County, the disposition was as follows:

The King himself, Colonel Edmund Scarborough, held court on Occahannock Creek. Next came the Lord Bishop of

¹For full facts as to the descendants of Gov. Sir Geo. Yeardley, see interesting pamphlet prepared by Thomas Teackle Upshur, *Amer. Hist. Mag.*, Nashville, Tenn., Oct. 1896.

Cradock's Creek, or the Rev. Thomas Teackle, champion of the Anglican faith, and who was later accused by his royal master of trying to poison him, and make off with the Queen, Lady Scarborough.¹ The various Barons or feudal lords of the upper peninsula were seated as follows: The Littletons on Nandua Creek, the Prince or Charles Scarborough on Pungoteague Creek, the Wests and the Joyneses on Onancock Creek, and the Wises on Chesconessex Creek. On the sea-side were the Corbins at Chincoteague, and the Bowmans, Croppers, Baylys and Parkers along Matompkin inlet and Folly Creek. From the foregoing, it will be seen that by far the greater number of royalists had pushed to the north, where lands were obtainable at the time of their arrival in the County. It is easy to understand then, how, with the partial segregation of the royalists themselves in the upper portion of the County, the party was more powerful in that quarter than to the south, where the concentration of the Puritan element led to a further demarcation. We have seen that these so-called feudal families were so intimately connected by marriage, one with the other, that their influence was unbounded on the peninsula, and the rising opposition in the lower peninsula was not to be brooked by them. As a result then, of his conduct in 1652-3, both with respect to the Commonwealth and the Dutch, Scarborough had become *persona non grata* in the latter quarter, in spite of the fact that his influence had secured his return to the Assembly in 1659. He hated the Northampton Court, dominated by Robins, which had called him to account so often, and determined to cast off its yoke by establishing a county of his own, in which he and the royalists might manage things as they pleased, and he improved his time in the Assembly with

¹See Chapter on Early Church.

that end in view. So far, the royalists had carried all before them in spite of the opposition. In 1652, they had secured a parochial division which gave them as their religious stronghold all that part of the peninsula north of Hungar's Creek, which was officially designated Occahannock Parish, but which they called Accomack Parish.¹ Later, after the death of Yeardley, Scarborough had secured from the Assembly an Act creating a new jurisdiction, coterminous with the Parish of Accomac, so that by 1658 the royalists of the upper peninsula had not only a distinct ecclesiastical establishment, but a secular one as well.

When Berkeley came back to his own, after the interim during which he had been ousted by Parliament, he found the population of the colony greatly increased and much new territory occupied. There were at that time seventeen counties in Virginia,² many of which embraced large areas over which the exercise of County authority had become unwieldy, so it was not difficult for Scarborough, the Surveyor General of the Colony,³ to gain the Governor's ear and impress upon him the need of a new county on the Eastern Shore.

Colonel Robins, who for several years had maintained the opposition alone, died in 1662, and there was no one left to take his place, capable of protecting Northampton against the schemes of Scarborough. The Assembly undoubtedly authorized the division that year, though the act is not on record. As clearly seen, Accomac County did not exist in 1661⁴ and did exist in 1663.⁵

¹See Chapter on Early Church.

²Mercer's Abridgment, p. 61.

³Succeeded Thomas Lovinge. Va. Mag. of Hist. and Biog., Vol. III, p. 46.

⁴Mercer's Abridgment.

⁵Hening, II, pp. 249-250.

The people of the northern peninsula, thoroughly in accord with Scarborough's designs, selected him as their Commissioner, and Colonel William Waters, one of their Burgesses, was selected by the people of the lower peninsula to act for them.¹

The dividing line which these two commissioners established between the counties of Accomack, on the north, and the county of Northampton, on the south, was highly unsatisfactory to the people of the latter county. The relative portions of the peninsula allotted the two counties were 243,314 acres to Accomack and 103,255 acres to Northampton, contained within the present limits, or considerably more than twice as much territory to the upper county. Whether Waters was won over by Scarborough or not is unknown, but if not, there can be no doubt that he was outwitted, as declared by the people of Northampton. In the Northampton Grievances of 1676, it was stated that the people of the county "do feel aggrieved that in the division of the peninsula, Accomack should have gotten so much the greater share and we do conceive that it was occasioned by Colonel Edmund Scarborough, the Commissioner on the part of Accomack, having outwitted Colonel William Waters, the Commissioner on the part of Northampton."²

Scarborough's design is apparent, and we can rest assured that nothing deterred him in its execution. Just as he endeavored to stretch the county limits to the north to embrace his land in Maryland, so he now endeavored, but more successfully, to extend the southern limit to Occahannock Creek, for if an equal division of the land had been made, his home on the northern bank of that Creek would still have remained

¹See Northampton Grievances, subsequent chapter on Bacon's Rebellion.

²Ibid.

under the jurisdiction of Northampton. Scarburgh sustained his position on the ground that the division should have been made in accordance with population and not with respect to territory, and since Accomack was more sparsely populated than Northampton, the division was a just one. This argument, if based upon the existing facts as to population, certainly paid little attention to the future. Scarburgh had carried his point and that was all he cared about. Colonel Waters was severely criticised and did not appear further as a Burgess. It would be interesting to know exactly how long after the death of Colonel Obedience Robins, the Champion of Northampton, the final approval of the division was secured.

One more circumstance disproves the claim of the authorities that Accomack was formed from Northampton in 1672. According to the people of the latter county, as set forth in the Grievances of 1676, Colonel Scarburgh with Waters ran the boundary line. He could not have run it in 1672, for he died in 1670 or 1671.¹

As we have seen, a court for the upper part of the county of Northampton with its commissioners, had been established. This court, now in Accomac, continued probably as a branch court of the older one in Northampton. The earliest records of the Accomack Court bear the date of 1663, and begin with the following preface:

“At a court held in Accomack County ye 21st Aprill by his Majesty’s justices of the Peace for ye said county in ye fifteenth year of the Raigne of our Sovreign Lord Charles ye Second by ye Grace of God of Great Britain, France, and Ireland—King defender of ye faith, and in ye year of our Lord God 1663. Present, Anto. Hodgkins, Captain George Parker, Mr. Rev. Brown, Mr. West, Mr. John Wise.”

¹See any Scarburgh Genealogy, and Northampton and Accomac Records.

Such a record sustains the contention very thoroughly that Accomack County was formed before 1672. Here is a statement of the court itself to that effect.

There is no reference to the appointment or commission of Robert Hutchinson, whose first signature as clerk appears May 23, 1663, and his last September 26, 1670. He probably qualified before the Northampton Court, since in the records of the first court, reference is made to the preceding court held in Northampton, March 23, 1663.

The assumed independence of the Accomack Court was for a long time resented by the older court of Northampton, as illustrated by the following entry of 1674: "At a court held for ye upper part of Northampton County, formerly called Accomack, November 16, 1670, Upon the Honourable Secretary's word to Col. John Stringer, that Mr. Robert Hutchinson, late clerk of the county of Accomack, should desist from being any longer in the said office, and that the records of the said county should be delivered to the clerk of the court of the county of Northampton, which the said Hutchinson being unwilling to do, without an order from this court to empower the clerk of Northampton county to give him a discharge from the same. It is therefore ordered by the Court that the said Mr. Hutchinson forthwith deliver all the said records to Mr. Wm. Meetinge,¹ clerk of the Court of Northampton, hee giving a discharge for the same accordingly."

This would seem to indicate a strong attempt, and a somewhat successful one, on the part of the Northampton Court to maintain its supremacy over the Accomack Court, in spite of the division of the counties. During the period of 1670-72, the Accomack records are signed by Daniel Neech, deputy

¹Probably Wm. Mellings.

clerk of Northampton, and John Culpeper, clerk of Northampton. After 1672, they are signed by Neech and Francis Lord, both as deputy clerks of Accomac.

Another strong indication that the two courts were distinct by 1674, is that John Culpeper states that, in appointing Lord his deputy for Accomack that year, he acted by virtue of a commission from Honorable Thomas Ludwell, Secretary of the Colony, to officiate as clerk, either by himself or his deputies, in any court or courts on the Eastern Shore of Virginia. This may also explain the absence of a reference to the new court in Accomac in any of the early statutes, since it appears that such matters were more or less in the hands of the Secretary. Hutchinson was clerk of Accomack, whether as deputy a part of the time or not, from 1662 to 1670. Francis Lord from 1670 to 1672; and John Washbourne from 1674 to 1703.

For some years after the new jurisdiction of Accomack was established, the justices held court in Pungoteague in the tavern of John Cole. When in 1677, fifteen years after the creation of Accomack County, it was decided to erect a court house at such place as the majority of the freeholders should prefer, Cole reminding the people of his liberality in not charging for the use of his tavern, asserted that having recently purchased the Freeman Plantation, he was sure that it would offer a very convenient site for the projected county seat. Mine host depended largely upon the attraction of the court for the patronage of his tavern and as an added inducement towards the acceptance of his offer, he announced his readiness to furnish thirty thousand bricks for the construction of the new building and all necessary timber. These bricks were to be burnt on the spot by James Ewell, who already stood in Cole's debt to that extent. The offer of the tavern-keeper does not appear to have been accepted, for in

1680 an order of court directed Major Charles Scarborough to proceed with the building of a court house on the land chosen by the General Assembly for the county town, which we shall see later was to be located at Onancock. Exactly when the building was erected is not known, for court was held at the residence of John Wise on Chesconessex Creek as late as 1683.¹

There was an improvised prison at Pungoteague as early as 1666, for during that year John Cross was committed to the county "bridewell." In 1674 the justices contracted with John Barnes for the building of a more satisfactory jail, which was to be fifteen feet in length and ten in width, and it was to stand within one hundred feet of the court house. This structure, which cost only eight hundred pounds of tobacco, was deserted after being used for ten years.²

In all these arrangements, Colonel Scarburgh had a hand and took particular interest and pride in the managing of affairs. He still owned land in Northampton, however, and was the King's Collector of Quit Rents. Against his name we find the following record:³

"Anno 1663.

Colnell Como Scarburgh, dr:

To ye Quitt Rents of 53313 acres in Accomack
at 12 p. ct. 6396 lbs. tobo.

To ye Quitt Rents of 25728 acres in Northampton
at 12 p. ct. 3087 lbs. tobo."

Much of the land upon which these rents were due was located in the disputed territory along the Pocomoke River. As a result of Scarburgh's importunities and the information

¹Accomac County Records, Vol. 1676-8, p. 97. Bruce's Institutional History of Va., etc.

²Accomac County Records, Vol. 1673-76, p. 155.

³Va. Mag. of Hist. and Biog., Vol. III, p. 46.

he had given the Governor as to Baltimore's policy, the Virginia Assembly, on September 10, 1663, passed an act "concerning the bounds of this Colony on the Eastern Shore." This ordinance commanded:

"That publication be made as soon as possible by Colonel Edmund Scarburgh, His Majesties Surveyor General of Virginia, commanding in his majesty's name, all inhabitants of the Eastern Shore of Virginia, from Wattkin's Point, where the Lord Baltimore's southermost bounds of the Eastern Shore is situate, this Grand Assembly by the care and special inquiry of five, able, selected surveyors and two burgesses, and, on the due examination thereof, conclude the same place of Wattkin's Point to be the north side of Wicomico River on the Eastern Shore, and neere unto and on the south side of the Streight Limbe, opposite to Pastuxent River. Which place according to Captain John Smith and discoverers with him in the year 1608 was so named."

A conference with Lord Baltimore's commissioners was proposed in case he should be dissatisfied, and Colonel Scarburgh, Mr. John Catlett and Mr. Richard Laurence¹ were appointed commissioners on the part of Virginia. The Surveyor General was further directed "to improve his best abilities in all other his majesty's concerns of land relating to Virginia, and especially that to the northward of forty degrees of latitude, being the utmost bounds of the said Lord Baltimore's grant, and to give an account of his proceedings therein to the right honorable governor and council of Virginia."²

Colonel Scarburgh's report of his proceedings on this occasion is preserved.³ While the foregoing Act gave him

¹A noted character in Bacon's Rebellion.

²Hening, II, p. 183.

³"The account of Proceedings in his Majt's affairs at Annemessecks and manokin, on the Eastern Shore of Virginia." Accomack County Records. Also see Report of Va. and Md. Boundary Commission, 1872.

great authority, even that was transcended in his execution of its chief provision. The act provided that a conference should be held with Lord Baltimore's representatives to determine the location of Watkin's Point, but there is no evidence of Scarborough having sought such a conference. His own report leads us to believe that he did not seek to carry out his orders, for he says, "I suppose according to ye Act of Assembly, there ought to have been a meeting on Ye Eastern Shore, w^{ch} ye Quakers say is contemned, whatever my own person may be, I presume ye officer I pr[']sent is not so unworthy, nor ye persons of those joyned with mee, nor when they come to try all shall finde ye affair negotiated with less repute than becomes such a concerne." Colonel Scarborough hated Quakers intensely, and was so unscrupulously jealous of Virginia's rights and his own, that he made oath that Watkin's Point was above the mouth of the Annamessecks and not of the Pocomoke River; also that the Pocomoke had never been known as the Wigheo. This oath plainly varied with Smith's map, which placed the point on the mouth of the Wigheo, which was undoubtedly the Pocomoke.¹

But let us see how he executed the commands of the Assembly. He set out with "some of the commission" and about forty horsemen, an escort which he deemed necessary "for pomp of safety" and also in order "to repel the contempt" which, as he was informed, "Some Quakers and a fool in office had threatened to obtrude."

The party reached Annamessecks on Sunday night, the eleventh of October. On the next day, at the house of an officer of Lord Baltimore, the Surveyor General began to

¹"The Maryland and Virginia Boundary Controversy," 1688-1894, Louis N. Whealton.

publish the Assembly's commands by repeatedly reading the act to the officer, who labored under the disadvantage of being unable to read. He declared that he would not be false to the trust put in him by the Lord-Lieutenant of Maryland. To this, Colonel Scarburgh replied, "that there could be no trust where there was no intrust [interest]." The officer, declining to subscribe his obedience lest he might be hanged by the Governor of Maryland, was arrested and held to security (given by some of Scarburgh's party) to appear before the Governor and Council of Virginia, and the "broad arrow" was set on his door. This matter being so satisfactorily adjusted, the colonel and his company proceeded to the house of a Quaker where the act was published "with a becoming reference;" but the Quakers, scoffing and deriding it, and refusing their obedience, were arrested, to answer "their contempt and rebellion," and it being found impracticable to obtain any security, "the broad arrow was set on the door." At Manokin the housekeepers and freemen, except two of Lord Baltimore's officers, subscribed. "One Hollinsworth, merchant, of a northern vessel," at this juncture "came and presented his request for liberty of trade," which Scarburgh suspecting to be "some plan of the Quakers" to defeat their design, "presumed, in their infant plantation, to give freedom of trade without impositions." Scarburgh drew up a descriptive list of those who stood out against submitting to the jurisdiction of Virginia; one was "the ignorant yet insolent officer, a cooper by profession, who lived long in the lower parts of Accomac; once elected a Burgess by the common crowd, and thrown out of the Assembly for a factious and tumultuous person."¹ George Johnson was "the Proteus of Heresy," notorious for "shifting schismatical pranks."

¹Randall Revell, after whom Revell's Island was named.

He stands arrested, and "bids defiance." "Thomas Price, a creeping Quaker, by trade a leather-dresser," and "saith nothing else but that he would not obey government, for which he also stands arrested." "Ambrose Dixon, a caulker by profession," "often in question for his Quaking profession," "a prater of nonsense," stands arrested, and "the broad arrow at his door, but bids defiance." "Henry Boston, an unmannerly fellow, that stands condemned on the records for fighting and contemning the laws of the country; a rebel to government, and disobedient to authority, for which he received a late reward with a rattan, and hath not subscribed; hides himself, so scapes arrest." "These are all, except two or three loose fellows that follow the Quakers for scraps, whom a good whip is fittest to reform."

On the 10th day of November, 1663, the County Court of Accomac authorized Captain Wm. Thorn and others to summon the good subjects of Manokin and other parts of the country, "so far as Pocomoke River, to come together and arm themselves for defense against any that might invade them, in consequence of the rumors that Quakers and factious fools have spread, to the disturbance of the peace and terror of the less knowing."

Colonel Scarburgh's conduct seems to have aroused the ire of the Marylanders, for they described his progress through the fields of Annamessex and the Manokin as that of a dashing, haughty, domineering Cavalier, arresting, threatening, denouncing, and proscribing by the "broad arrow of confiscation" marked upon their doors all who would not submit. Remonstrance against Scarburgh's conduct in beating and imprisoning the people of Annamessecks and Monanoakin, was made in June, 1664, by Governor Calvert to Governor Berkeley; who replied that Scarburgh had no authority to act alone or to proceed by force.

Soon after this, Calvert appointed Commissioners to meet the representatives of Virginia; and upon the failure of the latter to appear at the appointed time, he sent his Chancellor in person to the Governor and Council of Virginia to treat concerning Watkin's Point, to demand justice against Scarburgh for attempting to mark a tree thirty miles north of Watkin's Point; and also for his conduct in Annamessecks and Manoakin.¹ The complaint against Scarburgh, however, had but little effect, for he was again appointed by the Virginia authorities to join Calvert, the Maryland Commissioner, and run a boundary line between the two colonies. By their commission they were instructed "to meet upon the place called Watkin's Point, and thence to run the divisional line to the ocean." These instructions were partly carried out and in June, 1688, the commissioners rendered a report of their proceedings.²

The agreement signed by both parties states, "that after full and perfect view taken of the point of land made by the north side of Pocomoke Bay and the south side of Annamessex Bay, we have and do conclude the same (boundary) to be Watkin's Point, from which said Point so called, we have run an East Line agreeable with the extreamest part of the Westernmost Angle of the said Watkin's Point over Pocomoke River, to the land near Robert Holston's, and there have marked Certain Trees, which are so continued by an East Line Running over Swansecute Creek into the marsh of the Seaside with apparent marks and Boundaries, which, by our mutual Agreement according to the qualifications aforesaid, are to be received as the Bounds of Virginia and Maryland . . . on the Eastern Shore of Chesapeake Bay."

¹Archives of Maryland, Proceedings of the Md. Council, 1636-67. The Md. and Va. Boundary Controversy, 1660-1894, Whealton.

²Proceedings of Council of Md., 1667-68, p. 44.

Scarburgh and Calvert also drew up another agreement which settled in advance of final action by the authorities of the two colonies, the pending controversies about land holdings, in consequence of the line which they had run. These two instruments, signed by the Commissioners, were submitted to and subsequently ratified by the legislatures of the two colonies. This bare record, part of which has been cited, is all that remains of their transactions, for the commissioners apparently kept no journal, made no maps, nor certificates of survey, and never mentioned the names of any other surveyors, as assisting in the work.

The line run by the Commissioners, known as the Calvert-Scarburgh Line, was the first attempt of Virginia and Maryland, acting together, to define their common bounds. The line was poorly and inaccurately run, for only a part of it was actually surveyed, and the commissioners seem to have agreed as to the location of the point under controversy, and to have guessed where a line extending eastward from it would cut the Pocomoke River, some four miles away. Only between this stream and the ocean did they actually survey and mark the boundary.¹

The Marylanders had not dropped their charges against Scarburgh, and now pressed them vigorously. He was ordered to appear before the General Court and after a long-drawn-out prosecution, an injunction was entered against Scarburgh, September 16, 1670, prohibiting him from altering the bounds between Maryland and Virginia.² It appears that council was assigned him, interpreters sworn, a long examination and many depositions taken, and a judgment entered against him, and that numerous petitions were filed by the inhabitants

¹Md. and Va. Boundary Controversy, Whealton.

²Notes from Council and Gen. Court Rec., 1641-78, Va. Mag. Hist. and Bio.

of the Annamessex country, complaining of his high-handed and unlawful confiscations of their property.¹

The second war between England and the Dutch within a period of fifteen years was forced upon Holland by the arrogance of Charles II. The restored monarch was fast losing the affection of his Virginia subjects, for rumors were rife concerning his Catholic inclinations. Indeed, the Dutch war of 1665 was directly attributed by them to his desire to strike a blow at Protestantism, of which Holland was an uncompromising champion. Upon the outbreak of this new war, the Dutch, as usual, active upon the sea, destroyed a fleet of English merchant ships in the mouth of James River. In view of the great danger to which Virginia shipping was exposed, the Governor and Council of Virginia took immediate steps to protect their merchant marine and coasts. Orders were promptly issued for the better organization of the militia and all officers were ordered to stand prepared to march upon two days' notice. For the protection of the ships in Chesapeake Bay, four havens were designated, where vessels pursued might seek refuge. These points were "at James City in James River on the south side over against Tyndall's Point; in York River, in Rappahannock River in a place as shall be judged fit by the council and justices inhabiting that river; and on the Eastern Shore, at Pungoteague, such places there as their justices shall think fit, and that they ride with hasers on the shore ready to hall on shore upon any approaching danger, and it is further ordered that there be ten men out of every County's Company choosen and sent with tools and necessary provisions to be paid for by the public, to the said respective places of riding, there to build a platform for a battery and lines for small shott to defend the ships, and

¹Ibid.

to begin the said work on the tenth of September next and to finish it according to such directions as they shall receive from the Governor, and with all possible speed, and because we have not ordnance and ammunition of our own, it is ordered that the Governor be desired to represent that our want to his Majesty and most humbly beseech him either to supply us out of his own store with ordnance, or to give us power to take two out of every ship to furnish our said batteries, either to be returned to them at their departure or else be paid for out of the two shillings p. hogshead."¹

The mart which had been established on Occahannock Creek in 1655 was not considered by the Council to be as desirable as the one at Pungoteague. As yet no settlement had actually sprung up there, while Pungoteague was not only the seat of the new county but the site of the "Ace of Clubs" church.

In this old order of the General Court, mention is made of guns being taken from the ships. It is interesting to note that from the earliest period vessels employed in the Virginia trade were under the necessity of carrying guns. In 1633, the number of guns carried by one ship ranged from twenty to twenty-four; and later on, in 1691, the danger at the hands of pirates became so great that the Governor established by proclamation places of refuge on the Eastern Shore. In 1684, the English Government took steps to protect the Virginia coast as well as to break up illicit trading. Occasions arose when government assistance was much needed, as when in 1699 the "Maryland Merchant," while at anchor off the coast, was seized and plundered by an unknown ship carrying thirty guns and manned by a large crew. The people of Accomac and Northampton were always promptly warned of

¹Genl. Court Dec. 1664-70, Va. Mag. Hist. and Bio.

the presence of these dangerous outlaws, and patrols were posted along the shores of the peninsula, so that the County Commanders or Lieutenants might be informed of their approach in time to call out the militia to defend the people against the attacks of the pirates.¹

As an unfortunate consequence of the remoteness of the Eastern Shore, the sea-side islands were occupied for many years by pirates, at their own pleasure. Indented as the Atlantic side of the peninsula is by numerous coves and inlets, formed by the chain of islands which stretches from the utmost point of the Cape to Delaware, it afforded them a safe refuge when pursued by enemies, and was a most desirable place for refitting and repairing after a long cruise. Here, too, they would bring their prizes, and, according to tradition, bury their treasures among the sand dunes of the islands. The coast was a veritable wilderness, inhabited only by a few lazy, overfed savages, and once within the inland waterway between the islands and the mainland of the peninsula, the ruffians of the sea were protected from the interference of the law as well as from the dangers of the tempest. Thus secluded they could plot their nefarious schemes at leisure.²

The ships of Captain Kid seem to have frequently visited the neighboring coast islands, although the buccaneers do not appear to have made incursions upon the peninsula. In 1699, Thomas Wellburn, the Sheriff of Accomack, notified Governor Nicholson that Matthew Scarborough had recently met persons who had been visiting one of Captain Kid's ships, then lying off the coast. The vessels were reported to be

¹Bruce's Economic Hist. of Va., Vol. II, p. 346, for collected authorities.

²Carolina Pirates, Bassett. Buccaneers and Pirates of our coast, Stockton. Wheeler's History of North Carolina. Williamson's History of North Carolina. Martin's History of North Carolina. Various Histories of Virginia.

heavily manned, one carrying forty-two and another eighteen cannon. Wellburn's informants stated that an enormous treasure of gold and jewels, amounting to not less than five hundred and twenty thousand pounds sterling, was stored in the holds of these ships.¹

In 1688, the danger at the hands of the Pirates was so great that the Council ordered one Gilbert Moore to patrol the seaside of the peninsula, for which service, for a period of three months, he was awarded four pounds ten shillings. Later Colonel Custis was ordered to establish look-outs, and in 1699 the commanders of the militia of Accomac and Northampton were ordered to have the coast patrolled until late in the season. A patrol was accordingly established, one man for each of the counties, and a third to keep a look-out on Smith's Island. In October of this year, Colonel Custis reported that a pirate ship had anchored near Smith's Island, probably in Bullock's or the Great Eastern Channel, between Smith's and Mock Horn Islands, and that a band of twelve well-armed men had landed and shot down many hogs and beeves, which they carried off to their vessel. Colonel Custis urged the Governor to detail a frigate to duty as a guard ship in these waters, and thus capture these "villians" who were compelled to anchor off Smith's Island when they desired to go upon the mainland.²

The famous Blackbeard, driven to bay and killed by Lieutenant Maynard in 1718, is said to have hailed from Accomack.³ Blackbeard's real name was Edward Teach, and there are possibly some of his descendants living on the peninsula

¹Letter of Wellburn, dated "Chincateague, June 29, 1699," B. T. Va. See Bruce's Institutional Hist. of Va., etc. Vol. II. p. 211.

²Custis's Report, B. T. Va. lii, p. 42. Bruce, *Ibid.*

³See address of late T. T. Upshur, Va. Mag. of Hist. and Bio., Vol. IX, p. 95. Biographical Sketch of Edward Teach, by Dr. Stephen B. Weeks, Sante Fe, New Mexico.

at the present time. In 1887-8, one Mrs. Mary Teach, née Justice, died near Marionville, Northampton County. She and her husband were originally from Accomack.¹

The population of the peninsula in 1666 may be closely estimated from the following list of tithables of Northampton for August of that year, about three years after the formation of Accomack County. According to races, the tithables stood 372 whites and 52 negroes. Estimating the tithables at one-third of the total population, would make Northampton's population in August, 1666, 1,116 whites and 156 negroes, or a total of 1,272.² If we estimate the population of Accomack as equal to that of Northampton, based upon Scarborough's statements as to relative equality of population in the two counties, the total population of the peninsula at this time would be 2,544 persons, of whom 312 were negroes. But if we allow Accomack a population bearing the same relation to its area as that in Northampton, Accomack would have had 2,544 inhabitants, thus making the total population of the peninsula 3,816. The mean of the two estimates is 3,180, and this figure is not far from correct. Now if we add several hundred Indians, and the shifting element of 'longshoremen and Islanders, it will be seen that the Eastern Shore was more densely populated than any other portion of Virginia in 1666.

The mortality during the next few years was very great, due to an epidemic of smallpox. The germs of the fatal malady were said to have been imported by a stricken seaman, the cause of whose illness was at first unknown. Large numbers of the whites died during the plague, and the disease became general among the Indians, who had been driven

¹Ibid., Upshur.

²See list of Tithables in Appendix.

together upon reservations in remote sections of the peninsula. These crowded native settlements were almost depopulated, the inhabitants dying like sheep with the frightful disease. The poor natives, huddled together in their squalid villages, were powerless to cope with the situation. The customary treatment, which the medicine men prescribed for the more simple maladies, but added to the fatality of the epidemic. Panic stricken, the Indians sought relief among the whites, thus spreading the disease with the most disastrous effects. The condition of the whites became so alarming that in 1667 the Colonel and Commander issued a proclamation warning all families affected to allow no member "to go forth their doors until their full cleansing, that is to say, thirtie days after their receiving the sd small-pox, least the sd disease shoulde spreade by infection like the plague of leprosy. . . . Such as shall no-things notice of this premonition and charge, but beastlike shall p'sume to act and do contrarily, may expect to be severely punished according to the Statute of King James in such case provided for their contempt herein; God save the King."¹

At last the epidemic abated, having ravaged the land for several years, but not until the population had been seriously reduced and numbers of the best citizens had perished.

Mention has been made of the county militia, both in connection with Scarburgh's trip to Annamesssex and the defense of Pungoteague. The military organization on the Eastern Shore was the same as that in other parts of the Colony. All freemen capable of bearing arms were required by law to muster once a month at the court house or such other place as the Commander designated for the assembly. In 1670, Governor Berkeley reported to the Lord Commis-

¹Northampton County Records, Vol. 1655-58, last part, folio p. 19. Orders, Jan. 7, 1667.

sioners of Foreign Plantations that the entire militia force of the Colony consisted of upwards of 8,000 horsemen, and that there were five forts, two on the James River, and one at each of the three rivers, Rappahannock, York and Potomac. He must have overlooked the fort at Pungoteague, or else it was never completed. The latter is more probable, as Berkeley would not have omitted any item which would have presented a more favorable condition. Then again, the Dutch War was of such short duration, that the real necessity for the fort ceased to exist before it could have been completed.

In 1670, there were 40,000 inhabitants in the Colony, of which number 2,000 were slaves and 6,000 white servants. Such a force as named by Berkeley, if properly equipped, was an excellent showing. But we must remember that the proportion of fighting men in a new colony, or in frontier settlements, is always greater than in established communities of long standing and settled conditions.

If the proportion of slaves and servants which existed as to the whole colony extended to the Eastern Shore, where there was a total population of about 4,000, there must have been about 800 men liable for service in the militia of Northampton and Accomack. That any such number ever mustered at one time is out of the question. The very pursuits of such a sea-faring people would cause the absence of large numbers of the able-bodied men at any given time. It will be recalled that when Scarborough assembled a force of but 300 in 1659, it was necessary to recruit his ranks in part on the Western Shore.

In 1686, the House of Burgesses endeavored to reorganize the militia, to create a more efficient force for the defense of the colony. The military quota of Northampton and Accomack was fixed at one troop of horse for each county, forty men in addition to the officers composing a troop. Prior to

this, there were companies of foot troops as well as mounted men serving in the militia. Francis Yeardley was the first regularly appointed Captain of the militia on the Eastern Shore, receiving his Commission in 1642. He was then ordered to organize the freemen of the county and drill them at least one a month, reporting all persons liable to service who failed to attend the exercises. Small military districts were later created, each under command of a Captain, the senior officers of the peninsula bearing the rank of Colonel, Lieutenant-Colonel, and Major. The assemblies or musters in Northampton were regularly held at Argoll Yeardley's plantation on Mattawaman Creek. Absentees from the county musters were fined. In Accomack, in 1664, thirteen persons were mulcted twenty pounds of tobacco apiece for neglecting to attend the April meeting, and twenty-two for absence from the muster held in August. The amount of the fine was later increased to one hundred pounds of tobacco.

In 1670-1, Colonel Edmund Scarborough died, succumbing, it is thought, to the prevalent disease. It is not certain where he was buried, but probably on his estate on Occahanock Creek. May the many good deeds of this indomitable, fearless, uncompromising man, overbalance the bad. Added to the words "the good which men do lives after them" should be the words, "but the bad becomes more notorious." Such is certainly true in the case of Edmund Scarborough. Had he lived but a few years longer, he would undoubtedly have joined Bacon, as his son Charles did, for, in view of his radical character, his love of war and his hatred of Indians, it is not likely that he would have thrown his support to the cause of Berkeley as being that of the King. Had Scarborough lived to join forces with Bacon, Berkeley's tenure of the Eastern Shore would have been a more precarious one.

XII

THE ARLINGTON-CULPEPER GRANT. BACON'S REBELLION

In the dark days following the execution of Charles I, his wandering son on the continent, who was, theoretically, King of England, had granted to some "distressed cavaliers" of the time, the section of Virginia called the "Northern Neck," between the Rappahannock and the Potomac, as a place of refuge from the ire of the Commonwealth's-men. This grant was afterwards recalled; but in 1673 the King granted to the Earl of Arlington and Lord Culpeper, two of his favorites, "all that entire tract, territory, region, and dominion of land and water commonly called Virginia, together with the territory of Accomack," to be held by the said noblemen for the space of thirty-one years, at a yearly rent of forty shillings to be paid on "the feast day of St. Michael the Arch Angell." They were to have all the quit-rents and lands escheated to the crown; and were empowered to make a conveyance in fee simple, and to manage all things after their pleasure. No holder of land by valid title was to be disturbed, but with this single exception they were to be the masters in Virginia.

This portentous grant raised a great outcry. The two English lords had become the proprietors of Virginia with her forty thousand people. All the persons honestly in possession of escheated lands were liable to be turned out of their houses at a moment's warning. The revenues of the colony were to be received by the new owners of it. They were to appoint public officers, to lay off new counties, and present ministers to the parishes. In broad sweep and minute detail, the

King's patent was an enormity. By a scratch of the royal pen, Virginia, which had been so faithful to him, was conveyed away as a man conveys away his private estate, to two of the most unscrupulous courtiers of the English Court.

The Burgesses promptly sent commissioners to protest against this outrage. There was a long wrangle with the King's officials, but Charles II was too careless to feel ill-humored. He had no desire to wrong his faithful Virginians: "Those quit rents had never come into the royal exchequer," he said; he had meant them for "the benefit of that our colony." He was "graciously inclined to favor his said subjects of Virginia," and would grant them a new charter for "the settlement and confirmation of all things" after their wishes. But suddenly the perverse Virginians took matters into their own hands.¹ They lost all patience waiting for the King to redress their injuries, and a revolt nearly occurred in 1674, but no person of note taking the lead the trouble subsided for the time being. The threatened outbreak was not without effect, for justices of the peace were prohibited from levying taxes for their own emolument.² The Assembly now determined to make an humble address "to his sacred majesty," praying for a revocation of the forementioned grants to Arlington and Culpeper, and for a confirmation of the rights and privileges of the colony. Commissioners were appointed to repair to England and endeavor to secure a new charter for Virginia, but all negotiations failed. Matters in the Colony in 1675 were going from bad to worse. The price of tobacco had been depressed by the monopoly of the English navigation act and the cost of imported goods had increased. The Indian incursions on the western frontier, which occurred at this time, filled the measure of panic and exasperation.

¹Cooke's History of Virginia, pp. 232-234.

²Hening, II, p. 519.

Groaning under many exactions and their own peculiar grievances, though free from the danger of Indian massacre, the people of the Eastern Shore were in a desperate frame of mind.

The Assembly, in an endeavor to put the colony in a state of defense against the Indians, passed long and carefully considered laws in March, 1676, but something more than laws was needed to reassure the exposed planters on the Western Shore. Forts were ordered to be erected at various places on the frontier, and one even on the Eastern Shore, between John Redding's house and the Pocomoke River, or at such other place as the militia officers of the two counties should deem wise.¹

For a full account of the events of this period, of the revocation of the Arlington-Culpeper Grant, and the causes which led Bacon to take up arms against the Indians, and to resist the oppressions of the Assembly and Berkeley's orders, the reader must consult a more general work. No attempt will be made in these pages to justify nor to condemn Bacon, called the rebel.

By general consent, however, the most important event in the history of Virginia prior to the American Revolution was the rebellion led by the younger Nathaniel Bacon and growing out of the disturbed conditions in the colony at the time of which we have been treating. It was the first armed resistance offered by Americans to the constituted authorities of the mother country; and interest in the movement is still further enhanced by the fact that it occurred just one hundred years before the adoption of the Declaration of Independence.²

¹Hening, Vol. II, p. 328.

²F. P. Brent, Va. Magazine of History and Biography. Frequent use of Mr. Brent's article is made in this chapter.

During the early summer of 1676, while momentous events were transpiring on the Western Shore, the people of Northampton met (in June, 1676), and drafted a list of grievances, which clearly described the particular hardships to which they had been subjected, and the unjust burdens which they desired to cast off. This petition, known as the "Northampton Grievances," was promptly forwarded to the Governor and Council, but no action was taken thereon, except with respect to Clause IX, by the Assembly, which convened June 5, 1676. With regard to appeals, this, the last General Assembly before the outbreak of Bacon's Rebellion, enacted the following law:

"ACT XVIII

'Be it enacted by the governour, council and burgesses of this Grand Assembly, and by the authorities thereof, that all lawes prohibiting appeals from the counties of Northampton and Accomack, soe farr forth as it relates to the said counties be repealed, and that appeals from the county courts of Northampton and Accomack aforesaid lye open."¹

NORTHAMPTON GRIEVANCES

The Agreevances of ye Inhabitants in Genll to say Housekeepers and freeholders of Northampton County committed unto theire Burgesses to psent unto yor Richt Honble Govrs his counsell and Burgesses humbly—

PETITIONING FOR REDRESS

1. Whereas our country som yeares since was, contrary to our expectation, divided into two counties to our great detriment and Loss notwithstanding ye great advantage of Coll. Scarborough, yu made and p'cured to ye county of Accomack agnt Leutnt Coll. Waters yu his ffellow Burgess;

¹Hening, Vol. II, p. 362.

ye premises dewly considered desire (as we humbly conceive) but Reasonable, yt our County may be answerably Inlarges as theirs.

2. That we may have liberty graunted us to choose a new vestry, and yt every three years a new vestry may be chosen.

3. That ye act concerning paying for killing of Wolves, Bears, Wilde Cats & Crows, or ye Like, may be Repealed since no man but will, for his own good & security, Indeavour to ye utmost to destroy all possibly he can.

4. That any housekeepers may have a copy at any time of ye clerk of ye Lists of Tithables, and by ye s'd clerk attested, paying Reasonably for ye same.

5. That no p'son may be sett Tax ffree but by a full board, and not by any magistrates p'ticular favor to ye great oppression of other poore p'sons.

6. That it may graunted us to make a free choyse of six housekeepers, without Interposing of any over Ruling Magistrate and to continue yt Numbr who may be admitted and authorized to sitt, vote, assess and examine ye Lists of Tithables yearly at ye Laying of ye county Leavy, giving them Lawfull Notice of ye same to prevent future oppression and abuses, as we humbly suspect and conclude to have Received heretofore, wch Reasonable Request, if deny'd us, must and will submit. Then crave (by ye Reason) we have a court of Brothers; Priviledge may be granted us and confirmed (if they continue) to have our choyse of ye s'd foure Brothers, two of them only to sitt at our s'd yearly assessing ye County Leavy.

7. That our County Records may be free open for every man to search and Require coppies as their occasions, from time to time, shall and may Require at ye apoynted place anff office, paying ye Clerk his just fees.

8. That courts may be kept more dully according to Act of Assembly, without often Ressuringment at pleasure, without apparent just cause of ye great charge & detriment of ye People, as allso sitting at ye apoynted hours; ye contrary forcing peop., Especially in Winter, to Return home at to

Committ theirs business unto others Loss and Dissatisfaction, or else expose themselves to trouble and be Bourthen-some to their Neighbours housen, w^{ch} possable may be prevented by early sitting.

9. That we may have Liberty to appeale, in any Dubius case, though depending upon a far smaller value than Three Thousand pounds of Tobacco w^{ch} would not heretofore be p^rmitted.

10. That no Drink may be sold within a mile of ye Courthouse at any of ye court sitting days, Considering ye Detaction of time and ye Rudeness of people where Drink is sold at courts, neglecting their business, spending and wasting their Estates, abusing themselves and Authority, Quarrelling and fighting with all Imagenary Illconveniences, and evill consequences thereby accruing.

11. That no ordinary, or petty Tipling house may be allowed in our county; a means to keep young freemen and others from Running into Maryland.

12. That there may be a considerable fine and stricter Injunction Inserted or added to the act concerning ye court to examine their orders in open court and not any pticular Majestrate to presume ye same Private at his house w^{ch} ye clerk contrary to the true tenure of Law (in force) when often yt Majestrate so doing is not prst at half of ye orders entered, whereby possable many Ill conveniences may arise and corruption practised as heretofore on our Eastern Shore.

13. The mooving of ye s^d act, as upon Just complaint, that Sheriffs and clerks may be ordered to doe something *ex officio* as well as magistrates and other officers, as for intending ye orphants court when often done or few accompts be brought in; and usually done at the county court time. Ditto as to order and copy of orders; so constables, survayers of highways summoning ye people to choose Burgesses, Returning them, summonsing of Juries before need, when often times in 3 or 4 courts not one cause is put to a Jury, or at Least to moderate their fees, w^{ch} by those means and ye Like they Raise often unreasonable sums and allowed them.

14. That ye Indians of ye Eastern Shore in Virginia may be obliged to kill a certaine Numbr of wolves yearly, having a dayly opportunity by Ranging ye woods; for such Satisfaction as may be thought fit without ye p'fit of p'ticular men.

15. That no Sheriff may officiate two yeares together.

16. That no p'son may be admitted to beare any office until he hath bin an Inhabitant five years in ye Place where he shall officiate, and yt all those not of that continuance may be Dismissed until further Tryall of theire Fidelity and Trust.

17. That whereas our shore is Incompassed wth Shoales Insomuch yt no ships but of small burden can come to Trade and those yt come but few and Inconsiderable. It may be tacken in consideration and accordingly ordered yt no psons in our country may be suffered to Ingross any commodaties (as formerly) to ye great prjudice of ye communtry; to say yt no man shall within six weeks or wt time may be thought convent after ye ships or vessell moveing in ye creek Buy more than his crop doth amount unto ay any store.

Wee ye Inhabitants of Northampt County, In Virginia, having given in our aggrevances to our Burgasses do make choyce of these tenn men as Trusttes to draw our Agreevances in full and Ample manr. To be by them Delivered to our Lawfull Burgasses.

Signed. JNO. MICHAEL, Senyrr.

THOS. HARMANSON

JOHN WATERSON

RICHARD LAMBY

THOMAS HUNTT

WILL SPENCER

JN. CUSTIS, JR.

ARGOLL YEARDLEY

The marke of

ARTHUR A. APSHER

The marke of

WM. W. SLAITING."

While this appeal forcefully presented the grievances of the people of Northampton, it does not appear that any armed resistance was threatened in that quarter, nor were the people of the peninsula in sympathy with Bacon's Rebellion so far as it was an armed attack upon the Governor. Indian incursions, the very cause which precipitated Bacon in his course, was a danger foreign to the Eastern Shore; and while the Navigation Act would have borne hard upon them, had it been enforced, the remoteness of the peninsula rendered the evasion of the law a simple matter. For that reason, neither of these matters is mentioned among the grievances. Had the Eastern Shore been exposed to merciless inroads of the Savages of Maryland, and had Berkeley prohibited the people from protecting themselves, there is no doubt that they would have taken up arms in their own defense and turned upon the Governor, had he attempted to interfere. But this was not the case, and being entirely cut off from the Western Shore, the people of the peninsula could not appreciate the necessity of Bacon's course and had hardly an interest in common with the rebels. There was little more to induce them to take up arms than if they had been residents of Maryland. Bacon himself did not take up arms with the original object of ridding the people of the hardships which bore upon them as a result of the Assembly's refusal to grant them relief from their governmental burdens, but merely because weapons were necessary to repel and punish Indians. The idea of pressing other demands upon the Governor by means of force, never occurred to Bacon in the first stages of the rebellion.

In view of the highly developed spirit of independence among the people of the Eastern Shore, it is more reasonable to suppose that they would have quickly resisted Berkeley, had circumstances prompted such a course, than to

attribute such intense loyalty to them as would have secured their unwavering support to a tyrannical governor. It will be remembered that Accomac as a county took no part in the petition of Northampton, although the burdens complained of in that appeal were largely common to the people of the peninsula.

At this time, Argoll Yeardley, John Custis II, and William Kendall were the leading men of Northampton. Yeardley was the son of a former Councillor under the Commonwealth. John Custis, on the contrary, was a favorite of Lord Arlington, an ardent royalist, and a warm friend of Berkeley's, if not in accord with all his policies. William Kendall had represented Northampton in the first assembly after the restoration, which was naturally strongly royalistic in temper. The fact that Custis and Yeardley, belonging to different parties, were selected as trustees to secure the redress of their grievances by the people of Northampton, and that Kendall, hitherto an avowed royalist, joined Bacon, clearly shows that the people of Northampton were not arrayed along the party lines previously existing. The indication is that they were firmly united in an effort to improve matters, but that a few, like Kendall, who had spent much time at James City, and fallen under the influence of the Bacon sentiment, took more violent means to secure redress.

In Accomac, a similar absence of factional alignment was to be found. The leading figures there, since the death of Colonel Edmund Scarburgh, were Major John West, Major Edmund Bowman, Colonel John Wise, Colonel Southey Littleton, and Colonel Charles Scarburgh. West was the son of Lieut.-Col. John West, of Northumberland County, who had married Matilda Scarburgh, daughter of Colonel Edmund Scarburgh. Colonel West was an ardent supporter

of Berkeley's in suppressing the rebellion. His son allied himself with Colonel Bowman, Wise, and Littleton in their policy of loyalty to Berkeley. Littleton was the son of a former member of the Council under the Commonwealth, and may reasonably be supposed to have entertained his father's views. Charles Scarburgh, son of the noted royalist partisan, joined Bacon, as did his cousin William Scarburgh, while Captain Edmund Scarburgh, younger brother of Charles, remained loyal to Berkeley. So we see that the King played but a small part in the course which the people of Accomack pursued.

Upon hearing of the dissatisfaction on the Eastern Shore, the Governor threw a sop to the malcontents, by promising that he would redress their wrongs so soon as circumstances permitted, and thereby rendered further remonstrance on their part unnecessary.

When, on the 29th of July, the Governor found it necessary to desert the Western Shore, he did not repair to the peninsula on account of the great loyalty of the country to his cause, but because it was the only remaining part of the colony in which he would be safe from sudden capture by Bacon. He knew when he went there that the petitioners were waiting impatiently for response to their appeal, and that something more than promises would have to be yielded to win their support. His only hope, however, lay in assembling a sufficient force about his standard to take the aggressive against Bacon, and with that object in view and in order to fully commit Custis and other prominent men to his cause and secure the aid of the people through the influence of their leaders, he dispensed various royal commissions among them, appointing Custis, Major General of the King's forces, and established his headquarters at "Arlington" on

Old Plantation Creek.¹ That Berkeley should establish himself at this point was most natural. It afforded the best harbor convenient to the Western Shore, and was near the village of "Old Plantation," and also the village of Accomack. These places though boasting but a handful of people, were the only settlements of any size south of "The Horns" or "Peachburg," as it had now come to be known. Besides, "Arlington" was the home of Major General Custis, who was engaged in collecting the forces for Berkeley, and the governor was naturally to be found at the scene of such activity.

Moreover, since words cost nothing, Berkeley promised to exempt the two counties from all taxation for a period of twenty-one years, should they remain faithful to him. While the Governor was not always politic, he was shrewd, and by such promises he won the passive, if not in all cases the active, support of the masses.

Immediately upon the arrival of Berkeley in Northampton, steps were taken to muster the militia of the two counties and augment the regular forces. Commissaries were commissioned and sent out to collect supplies and recruits for the King's army, as Berkeley called his force. Berkeley no doubt visited all the principal points in Accomack as well as in the lower peninsula, for he soon enlisted through personal appeal many of the leading citizens in his cause. Tradition says that he established his headquarters near Pungoteague, and again at a house on Onancock Creek. Unquestionably he was at these places but only temporarily.

While Berkeley on the Eastern Shore was endeavoring to rally to his banner a force capable of overcoming Bacon, and

¹Hening, II, p. 552. Also Winder Papers. Va. State Library. Va. Mag. of History and Biography, Vol. X, pp. 69-70.
Cradle of The Republic, Tyler, p. 70.

dispatching messengers to England, begging for troops and other aid, Bacon was not inactive on the Western Shore. The flight of the Governor had decided many persons in their course, hitherto neutral, and large numbers went over to Bacon.

Campbell tells us that some of the inhabitants of the Eastern Shore committed depredations on the estates of the planters on Bacon's side of the bay.¹ It is possible that some of the free-booters whom Berkeley assembled about him took advantage of the Governor's authority to loot and pillage. Some of the "free and easy" gentlemen from the sea-side islands, who in no sense could be called Accomackians, would have found the occasion a congenial one.

After attending to matters at Middle Plantation, Bacon dispatched Giles Bland, "a gentleman of an active and stirring disposition, and no great admirer of Sir William's goodness," to the Eastern Shore to capture the old Governor and confine him. Bland was ordered to go and "block up" his foe, Sir William, or induce the people to surrender him—"thinking the country, like the Friar in the Bush, must needs be so mad as to dance to their pipe." So, General Bacon, hoping that his Lieutenant, Bland, might "go forth with an empty hand but return with a full fist," placed matters in his charge and went after the Indians.²

Lieutenant General Bland, a man of courage and haughty bearing, set forth on his enterprise. He had 250 men, and one ship with four guns, under command of an old sailor, Captain Carver, who was "resolved to adventure his old bones" for the rebel cause. This one ship was insufficient, however, and Bland seized another, lying in York River, which belonged to a Captain Laramore, probably a trader

¹Charles Campbell's *History of Virginia*, p. 305.

²See Cooke's *History of Virginia*.

and a friend of Berkeley's. This seizure irritated Laramore and was the source of many woes. He had been arrested and confined in his cabin, but dissembling, professed sympathy, and was restored to the command of his ship; and then Bland sailed for Accomac. On the way he captured two other vessels, making four in all, and with this fleet, anchored off "Old Plantation."

At the appearance of the four ships mounted with cannon, Sir William was almost in despair. He found himself threatened with capture by a rebel fleet, and his situation was not unlike that of his master Charles I, in his darkest days. An incident changed everything.

Laramore's mind was still rankling with resentment at the seizure of his ship; and he privately sent word to Berkeley that if assistance were given him he would betray Bland. At the time, the vessels were at anchor, and Captain Carver of the four-gun ship, Bland's second in command, had gone on shore to see Berkeley. Laramore's offer resembled a trap, but a friend of the Governor's, Colonel Philip Ludwell, offered to vouch for him, and to lead the party to assist in Bland's capture. Sir William thereupon agreed to everything, and Ludwell prepared an armed boat in Old Plantation Creek, but out of sight. At the time appointed, he rowed toward Laramore's ship; supposed to be coming to parley; and Bland did not fire on him. The sequel quickly came. The boat ran under the ship's stern, and one of Ludwell's men leaped on board, and putting a pistol to Bland's breast said, "You are my prisoner." The rest followed and disarmed the crew, who were said to be drunk, but were probably Laramore's friends; and Carver soon returning, he and Bland were "amazed and yielded." No further resistance was made, and Colonel Ludwell returned in triumph with his prisoners to Berkeley. Thus ended in gloomy disaster

the attempt to make the Accomackians dance to the rebel piping. Bland, with all his courage and activity, had been caught in a trap, and Berkeley put him in irons and otherwise ill-treated him.¹ Poor old Carver was honored by his excellency, as we are told, with the gift of a halter, and was hung on the shore near "Old Plantation" a few days afterwards. General Bland was spared for the time being and held in prison on the Eastern Shore until March. He was a man of too much influence at court to be dispatched in the summary way in which Carver had been executed. After Bland's capture, Laramore's men joined the forces of Berkeley.

At this juncture it will be interesting to examine into the army which Berkeley was able to gather about him on the Eastern Shore.

We know that Major John West of Accomac raised a force of men in this county, forty-four of whom served under Berkeley for thirty-four days.² How many of the better element of Northampton enlisted for service under Berkeley, we have no way of determining, but it is known that some of them did enlist, and it is only reasonable to accredit them with a force equal to that from Accomac. Supposing this to be the case, Berkeley must have had one hundred fairly good men.

Historians unite in telling us that Captain Gardener, a follower of Berkeley, arrived about this time at Accomac in his ship the *Adam-and-Eve*, with ten or twelve sloops which he had collected along the coast. Bland's captured ships made in all about seventeen vessels. When Bland set out for Accomac, he had a force of two hundred and fifty men.

¹Cooke, p. 275.

²Petition of Maj. John West, Accomac County Records, Sept. 14, 1677. See Appendix.

Add to this number the crew of Laramore's ship, and those of the two other vessels of Bland's fleet, and it will be seen that Bland must have had about three hundred men with him when captured. Most of these men joined Berkeley's army, and added to the men from Accomac under Major West, and an equal number from Northampton made up a force of about five hundred.

Some authorities put the number of men which Berkeley had when he crossed the bay as high as one thousand,¹ while others claim but eight hundred.² In view of the usual exaggeration of such estimates, the smaller number is probably more nearly correct. The crews of Gardener's vessel and the sloops would normally number about two hundred men. The balance of one hundred was probably made up of the 'longshoremen to whom the historians invariably refer. If the force were composed as we have supposed, it was indeed a motley crew, but should not be accredited to the Eastern Shore. To this force naturally devoid of all discipline, the Governor offered, so it is said, the estates of all who had taken "Bacon's Oath," and further proclaimed that the servants of all gentlemen fighting under Bacon should have their master's property in case they enrolled themselves under the King's flag.

Such extravagant promises were not calculated to instill order and discipline into the ranks of the Governor's non-descript army.

Berkeley sailed for Jamestown and reached it safely September 7, 1676, the news of his approach "outstripping his canvass wings." The place was held by Colonel Hansford, one of the youngest and bravest of Bacon's lieutenants, with eight or nine hundred men. Berkeley, anchoring, summoned

¹T. M. Manuscript.

²Winder Papers.

Hansford to surrender, promising amnesty to all but Lawrence and Drummond, then in the town. Hansford refused, but upon the advice of these two leaders, determined to evacuate the place, which he did during the night. About noon the next day, Governor Berkeley landed on the island, and "knelt down and rendered thanks to God for his safe arrival."¹

Lawrence, Drummond, and Hansford had galloped off to the north to report the loss of the town to Bacon, who was at the head of the York River. They told Bacon that the whole "Kingdom of Accomac" had declared for the Governor and that a great army had been raised there and transported across the bay.

Bacon's proceedings were those of a soldier. He had only a body-guard with him, but he mounted in hot haste and set out for Jamestown. Couriers scattered in all directions to summon his followers to join him. As he advanced, his force steadily increased, and marching with "a marvellous celerity, outstripping the swift wings of fame," he came in sight of Jamestown, at the head now of a force of several hundred men.

Sir William was ready to receive him. A strong earth-work and palisade had been erected across the neck of the island, and Bacon rode forward to reconnoitre. He then ordered his trumpets to sound and a volley to be fired into the town. But no response came back. Berkeley, it is said, expected that his enemy would retire for want of provisions; but in this he was disappointed. Bacon was a rough campaigner, and supplied himself from the Governor's own larder, as the Governor had supplied himself from thoughtful Mr. Lawrence's cupboard. He made his headquarters

¹Cooke's History of Virginia.

at "Greenspring," the mansion of Sir William; and cattle, grain, horses, and stores of every description were appropriated without scruples.¹

Bacon, after a careful survey of the ground, proceeded to throw up a breastwork in front of Berkeley's palisade. It is said that in order to accomplish this in the face of the enemy, he seized the wives of a number of his prominent adversaries and notified Berkeley and the husbands that if an attempt were made to stop the entrenching, the ladies would be mounted upon the works to stop the bullets. Not heeding the threat, an attacking party sallied out of James City at daylight the next morning and fell upon the workmen; the sally was repulsed; and the ladies were mounted upon the half completed works and kept there until the breastwork was completed. As soon as the ladies retired, Governor Berkeley ordered a general attack, but his undisciplined army, it must be admitted, did not push forward with much vigor and was promptly driven back. Historians do not give much credit to the followers of Berkeley for their conduct in this fight. His army was necessarily an unorganized band. While there were many fine men from the Eastern Shore with him, and a handful of followers like Ludwell from the Western Shore, the large majority of his men were sailors and irregulars and cared little for Berkeley or his cause. No doubt the latter had joined the Governor for the sake of promised plunder, and "finding cold steel to encounter instead of ladders to rifle," they suddenly ceased fighting and fled to Jamestown. Thus deserted, the better portion of Berkeley's army was forced to retreat, leaving a dozen of their number killed or wounded before Bacon's trenches.

¹Cooke's History of Virginia.

This was the end for the moment of Sir William Berkeley and the royal cause. The stormy old leader was "extremely disgusted, and expressed in some passionate terms" his wrath and mortification. But there was no help for it. His following was plainly too lukewarm to run any risk in his cause; and when Bacon brought up three guns and opened a cannonade on the town and ships, Sir William Berkeley lost all heart, embarked during the night, and he and his army sailed away from Jamestown and returned to Accomac.

Bacon immediately entered the deserted capital, and ordered it to be burned so as to prevent Berkeley from occupying it again.

Such was the end of Berkeley's attempt to overcome Bacon. It had accomplished nothing. The advance had ended in retreat. Sir William had fled to his ships, and his ships had fled down James River and back to the Eastern Shore. There was no more spirit left in the army which has been so generally accredited to Accomac.

The Governor's fleet of transports probably landed the disheartened expedition at Pungoteague or Occahannock, for an entry in the Accomack records shows that a hospital was established at the house of Henry Reade in the lower part of the county, where the sick and wounded were received and kindly treated. If the expedition had returned to "Old Plantation" in Northampton it is not likely that the wounded would have been taken such a great distance as to Accomac.

Though Berkeley, and the host of invaders which had descended upon James City, had been driven off, Bacon felt that something should be done to prevent a repetition of this invasion. He, therefore, no doubt upon the advice of Scarborough and Kendall, dispatched agents to distribute a proclamation among the people of the peninsula in which he appealed to them to desist from further acts of enmity to-

wards him and begging them to forsake Berkeley. The step was a wise and opportune one so far as it concerned the mass of the people, though it had no effect upon the better element of the Governor's supporters. The overwhelming disasters which had befallen the first expedition were certainly calculated to discourage further enlistment in Berkeley's army, and a loyalty already lukewarm was not intensified by such results.

Even Bacon was misled as to the true nature of the invading army, attributing its personnel entirely to Accomac, as will be seen from the following text of his appeal:

BACON'S APPEAL TO THE PEOPLE OF ACCOMACK

"Of part of our victory, and the misery of your own and Sr. Wm. Berkeley's Condition, your selves are Judges, how unjust your cause was, how base and sordid the invitation that tempted, how unheard of, his and your manner of proceedings against yor neighbors and friends, to invade this poor Colony and bee the first beginners of Bloodshed amongst his Maties subjects, for hopes of Plunder: does I believe by this time gall your consciences and reasons to reflect upon, and consider how you have been deluded and gulled by that abominable Jugler: whose cheates and base Actions you were all acquainted with, and whose oppressions you have a long time groaned under, which that you may more clearly see and understand, read without prjudice and considr.

"Know that I have done, has bin in defence of his Majties interest (by a power derived from his Maties) as authentic and immediate, as in this part of the world can be—being a Commission signed by Sr. Wm. Berkeley att the request of yor Assembly, and ratified by an Act of Assembly, whereby the said Sir Wm. Berkeley amply and fully expresseth his confidence of my Loyalty to his Matie to bee one of the grounds and reasons of this intrusting mee with soe great a charge, which doth fully and absolutely acquitt me of that violence whereby he pretends the Commission to

be extorted, for that all the world may imagine that noe man of honour in his place, would bee compelled to Act against reason, soe that noe reasonable man can imagine Compulsion otherwise than a Ridiculous Evasion.

“For in Taxing mee contrary to the tenor of my Commission hee taxeth himself of treason to our Sovereaigne, wch no pretence of compulsion can excuse, for it is not to be supposed that his Matie would entrust either a Coward, or a ffolle, soe that it doth necessarily follow that if my Commission were Just and granted for reasonable grounds (as by tenor thereof under his hand doth appeare) then the Complaint by him agst us, was unjust and abominable or if I were what hee prtends hee doth att once confess himself both a Coward and a Traitor which hee very well knows, and it is on that score, that by his folly and passion together, hath involved himself, and this poore Colony, in such a Laborinth of ruine, for that hee very well knows, that hee never can Answer what hee hath done before his Matie, should his doings, and what he was alwaies desirous of, come to the eares of our Sovereaigne Lord (as by our former declaration may appeare) for he knows and will consider, that by his own handwriting all his accusations agst his Maties Loyall Subjects, which were with such haste dispatched for England, are frustrates, when that it will appeare that hee hath granted me Commission of an Afterdate to his Accusation, hee therefore, perceiving that all his damnable Plotts and devices agst the people although by all his Artifices, Lyes and Juggles must of necessity turne on himselfe, not daring to trust himselfe to the Justice of our Sovereaigne, whose interest with our loves wee have defended, resolved rather to trust his Cause to the rash Conduct of his madd party, to the wisdom of a discerning Prince, who must needs count him unfitt to Governe, who neither had the principle to doe what was just, nor the courage to oppose what was unjust.

“Again consider also, that hee has Acted beyond his commission or power, granted from his Matie wh impowers him to Act with foure of his Council Jointly, when in this late disturbance, hee hath had two (Cole & Ludwell).

"Againe considr that hee Levyed forces without an Assembly or the consent of the Country, against the people who have hitherto been of the defensive party.

"Lastly considr how closely, constantly and diligently wee have acquitted ourselves of our trust, and taken all possible advantage of our Indian Enemy.

"Considr also what considerable victoryes wee have obtained, in two marches agst them and how we have been pursued and prosecuted in both.

"Considr also what ill successe hee and his party have had, and what little reason you have to boast of your purchase or any your attempts, or actions in our Rivers.

"Gent.

"If therefore, sence, reason or humanity can invite you (bee unbeguiled betimes) and attend what is seriously spoken to you and propounded by the people of Virginia, that if you doe within fifteen days after the arrival of this paper on yr shore, send some of yr discreetest persons in the name of your countrey, to make us satisfaction for your Losses (which by your Pyracyes) wee have sustained, and to deliver up to us the Ringleaders, to bee sent into England, there to havr their Tryall, that is to say, Custis, Stringer, ffoxcraft, Littleton; as also shall howrly convey to us what persons of our party are there detained as Prisoners, then out of the tender desires we have to preserve peace and Amnity among ourselves, that his Maties Colony might not bee ruined by yor rashness; wee will rather treat with you as Brothers and friends and endeavour that our sad difference may be composed.

"And that this section of yors may be reckoned as the seducement of Abominable Jugler Sr—— whose oppressions you have formerly known then any wayes revive the memory of it to the Breach and discontinuance of that peace which wee hitherto have, and ought to maintaine (wch if you deny) I appeale over to yourselves, if you can justly blame us, iff we prosecute you with all extremity of warr, to the utmost of our powers, which you must expect from them,

whom nothing but your own folly and Injustice has or can make your Enemies.

“Subscribed thus,

NATH. BACON.”

While this remarkable exposition of his claims to right and the support of the Accomackians did not win Bacon the active enlistment of the Eastern Shoremen in his cause, yet a threat was clearly expressed in the body of this appeal. Indeed, Bacon was already planning to take the aggressive against Berkeley and to punish the people of the peninsula for their invasion of the Western Shore.

The poor old Governor was much alarmed, for the apathetic loyalty of the masses to his cause could not possibly delude him into a belief that they would offer such opposition to Bacon as would lead to the devastation and destruction of their farms and homes. While the influence of the gentry was very great, yet even they could not assure Berkeley of his safety among them. If Bacon's transports were to heave in sight, but one course was open to the Governor, and that was to desert the soil of Virginia for a safer place of refuge. The bitter conflict between Bacon and Berkeley, so far as personal rancour was concerned, was not reflected in the breasts of their supporters, and such men as Kendall and Charles Scarburgh in the former's army, would, from self-interest, see that no desolation of their homes ensued at the hands of the invaders. A meeting of the leaders of the two parties would have been more in the nature of a salutation between friends and brothers than a parley between enemies.

At any rate, the fear that the rebels might land upon the peninsula and take up a triumphant march accompanied by fire and sword, caused much alarm among the common people, so that Berkeley's orders to patrol the coasts and

watch for Bacon's sails, were readily complied with. Patrols were posted along the shores and near the mouth of every navigable creek, and as the eyes of the self-interested watchers scanned the horizon and noted with apprehension every craft that appeared upon the bosom of the blue bay, the uneasy Governor no doubt kept within easy reach of a fleet craft, standing prepared to spread her sails at the first signal of departure.

This deplorable situation must have been equally alarming to the loyal Custis, Major General of a vanished army, and who had loaned large sums of money to Berkeley on the King's account. No doubt the Governor's word was Custis's sole security and that was not negotiable collateral in the clearing house of the rebels. The loyal Custis, however, as well as the other creditors of the King among the gentlemen of the Eastern Shore, seem to have acted with magnanimity during the crisis of Berkeley's affairs, and to have continued to aid and succor him when all seemed lost.

Hope flared up afresh, when the loyal Colonel Brent, with one thousand men, made a demonstration in Gloucester in favor of the royal cause, but almost simultaneously with the news of the undertaking came the sad tidings of its farcical end. Fortune again favored the downcast Berkeley, for even while Bacon was completing his preparations to invade the peninsula, his strength waned under a consuming fever and dysentery, contracted in the trenches at Jamestown, and after a few weeks' illness, he expired in October, 1676.

Contemporaneous writers, laboring under the excitement of the time, hinted at foul play on the part of Berkeley and his sympathizers, but as yet evidence sufficient to justify the charge of poisoning has not been adduced.

Appreciating the fact that "Bacon's Rebellion" was inspired and maintained by the great personal influence of

the deceased leader, and that with him died the spirit of fearless resistance to the King's authority, Berkeley, so soon as he heard of Bacon's death, determined to strike a fatal blow to the mutiny. Robert Beverley, who had remained with the Governor during his exile, was accordingly dispatched with a party of reliable men to York River, to capture as many of the demoralized leaders of the rebel force as possible. They succeeded in capturing Colonel Hansford and about twenty of his men near where Yorktown now stands. They were taken captive to Accomack. Hansford was summarily tried by the Governor at the head of a makeshift court, sentenced to be hung and duly executed on the bay-shore, about a mile from the place of his confinement, November 13, 1676.¹ Captain Wilford, Captain Farloe and several others of less note were also put to death on the Eastern Shore.

Sir William Berkeley now repaired to York River with four merchant ships, two or three sloops and 150 men. On January 29, 1677, a fleet with an English Regiment arrived and Berkeley was commissioned to try rebels.

Since James City, the former seat of Government, was no more, a court-martial was instituted on board Captain John Martin's ship in Yorke River, January 11, 1677, and adjourned from time to time to the house of the Governor at "Green Spring" and other important points thereabout. This court was composed of the Right Honourable Sir William Berkeley, Knt. Governor and Captain General of Virginia, and the following gentlemen:

¹Ingram's Proceedings, 33: Force's Collection of Historical Tracts, Vol. I. For a sketch of Thomas Hansford, the first native martyr to American Liberty, as he has been frequently styled, see Virginia Historical Collections, Vol. IX, p. 193.

Coll. Nathl. Bacon (elder)	Coll. Wm. Claiborne
Coll. Tho. Ballard	Coll. Southey Littleton
Coll. Phill. Ludwell	Lt. Coll. John West
Coll. Augustine Warner	Maj. Law. Smith
Maj. Robert Beverley	Capt. Anth. Armistead
Coll. Math. Kemp	Capt. Danl. Jenifer

A revel of blood ensued, but in justice to the other members of the court, it should be said that they opposed as best they could the violent measures of the Governor. Nothing could deter him, however. His thirst for the blood of his enemies was apparently insatiable. At last, after he had executed ten of the rebels, the King's Commissioners, Colonel Herbert Jeffries, Sir John Berry, and Colonel Francis Morryson, arrested the proceedings of the bloody drum-head court.

A civil court, of which the commissioners were members, was instituted at "Green Spring," and held its first session March 1st. The commissioners had brought with them from England the King's Proclamation authorizing the court to pardon all rebels who would take the oath of obedience to his Majesty and give security for their good behavior.

On the 3rd of March, the Governor was not present at the session of the court, whereupon Charles Scarborough and William Kendall presented themselves for judgment. It is quite likely that they had been apprised of the Governor's intended absence. After claiming the benefit of the King's proclamation and taking the oath of obedience to his Majesty, the following judgment was passed upon them by the court:¹

"Itt being most evident that Captain Charles Scarborough hath uttered divers scandalous and mutinous words tending to the dishonour of the right honourable the Governour; but

¹Hening, II, p. 549.

the said Captain Scarburgh submitting himself, and being ready to comply with what fine the court shall adjudge against him, the court have thought fit and doe order that the said Captain Scarburgh be fined or amerced fowerty pounds sterling, to be paid upon demand to the right honourable the governour, which the said Scarburgh willingly submits to."

"Itt being evident that Coll. Wm. Kendall hath uttered divers scandalous and mutinous words tending to the dishonour of the right honourable the governour; but the said Coll. Kendall submitting himselfe, and offering fifty pounds sterling as a fine for his soe great crime; and the right honourable governour desiring the court to pass the same into order, they have therefore thought fit and doe order that he pay the said somme upon demand to the right honourable the governour, which he willingly submits to, and hath accordingly performed the same."

From this, the measure of Kendall's offense seems to have been greater than Scarburgh's.

At the session of the court held March 8th, Giles Bland, the leader of the expedition to the Eastern Shore, was convicted of treason and sentenced to be hung, which sentence was executed on the 15th. At the sessions of the 9th, 10th, 15th and 16th, a number of prominent rebels were sentenced to death, raising the total number executed to twenty-three, twelve of whom had been sentenced by Berkeley's Court-martial. On the last date above, William Scarburgh was sentenced to death.¹

The Assembly and court which convened February 20th had by this time repealed Bacon's laws and Berkeley's triumph was absolute.

Our Virginia historians, misled by the contemporaneous accounts of the Rebellion as contained in the "T. M." manuscript, the Winder Papers, Bacon's appeal and other papers,

¹Hening, II, p. 553.

have without exception misconceived and misrepresented the part played by the Eastern Shore in connection with Bacon's Rebellion. All of them agree that only the rougher element of 'longshoremen and adventurers, whom desire for plunder drew to his banner, supported Berkeley against Bacon.¹ They have referred to the part played by the people of the Eastern Shore, during the Rebellion, in most disparaging terms. They have unjustly charged the people of the peninsula with the acts of every free-booter and ruffian who flocked there at Berkeley's call, for the purpose of adventure and in the hope of plunder. They have been led into the error by contemporaneous writers, who, ignorant as to the true situation, indiscriminately referred to Berkeley's motley host as Accomackians. The people of the Western Shore, at that time, knew very little about the peninsula or its inhabitants; and after all it was natural that they should believe the rabble which descended upon them from across the bay, to be composed of natives of the peninsula.

An examination of the records of the peninsula will controvert the general view of historians and convince any unbiased mind that while large numbers of Eastern Shoremen did not accompany Berkeley in his expedition to James City, they very generally hazarded their fortunes for the success of his cause.

When Berkeley first sent out a call for supplies, many of the wealthiest and most influential men on the peninsula responded.

With the exception of the orders for the raising of troops and the impressment of provisions, no mention is made of the Rebellion in the records that cover the period of hostilities. As Sir Wm. Berkeley was present on the peninsula

¹For similar error, see Bancroft's Hist. of U. S., Vol. I, p. 465.

the greater part of the time, he evidently took affairs into his own hands, and adopted such measures as he deemed best adapted to insure his own safety and the ultimate triumph of his fortunes. Hence we find that, during the Rebellion, the court records of Accomac and Northampton are scanty. Of the proceedings of Sir Wm. Berkeley and his Council while on the Eastern Shore, no record has been preserved; and it is not probable that any was made. As soon, however, as the Rebellion collapsed by reason of Bacon's untimely and mysterious death and the civil courts resumed their duties, the old county records teem with entries that fix the attitude of the Eastern Shoremen in the great struggle and attest the services rendered by them to the cause of Berkeley.¹ While Berkeley is known to have executed a number of the rebels on the Eastern Shore, the sole mention of an execution in the Accomac Records is contained in the petition of Ione Occahone.²

The document which above all others fixes beyond a doubt the attitude of the Eastern Shore people in Bacon's Rebellion is the memorial addressed to Sir William Berkeley by the justices of the peace and other leading citizens of Accomac shortly after the cessation of hostilities, asking for certain favors he had promised them in consideration of their loyalty. The text of the petition follows:

"Wee his Majesties Justices here underwritten, and others, the Inhabitants of Accomack County, in obedience to his most sacred Majesties command directing us to send over to them sealed all grievances and pressures, especially such as

¹For interesting abstracts from Accomac Records see Appendix.

²See Appendix.

have been the grounds of the late troubles and disorders among us, being deeply sensible of the Late Rebellion hatched and acted on the Western Shore by Nath. Bacon, dec'd, and complices, to our great prejudices, expenses and Losses of many men and crops by watching and warding on all parts of the Shoare to hinder the Landing and invasion of the said Rebels on our coast, where we have received into our protection the bodies of the Right Honourable Sr. Wm. Berkeley and severall other good and Loyall subjects of his Majty, fled to our parts from the fury and rage of the said Bacon & Complices, doe.

"First, hereby acknowledge that we nor any of us knew any reason for any such Rebellion, & some or all of us did protest against his actions as rebellious.

"Secondly, we humbly desire his Majty to continue Sr. Wm. Berkeley Governor in Virginia as long as God shall spare him life.

"Thirdly, Whereas the Right Honourable Sr. Wm. Berkeley upon his first coming to us and our readiness to assist him to the hazard of our own lives and fortunes against the said Rebell Bacon & Accomplices, did promise as well as our county of Accomack as the rest of the Eastern Shore in Virginia should bee free from all county tax for these twenty-one years ensuing.

"Wee humbly therefor pray ye Honourables to be a means the same may be confirmed first in Virginia and afterwards by his Majties Royall grant.

"Fourthly, Whereas wee are deeply sensible of the vast charge this unhappy warr and Rebellion hath put the country to, and it may be expected to be defrayed out of the country: Wee desire wee may be excluded from all and every part of the same, wee being in no way the cause of it.

"Lastly, Whereas we have been informed that this Royall Majty hath or was about to give the country their Quit Rents for many years to come, wh: wee doubt this unhappy warr hath now broke off, wee humbly desire it may still remaine good to us, and being in no way the cause of knowing of the

same, to wh: wee subscribe or hands in open court, and pray for his Majties and ye Honourable Governr health long to continue.

(Signed) EDM'D BOWMAN
ROBT. HUTCHINSON
WILLIAM WHITTINGTON
JNO. WISE
THO. RIDING
RICH. HILL
EDM'D SCARBURGH¹
JNO. WALLOP
OBEDIENCE JOHNSON
& many others."

The names subscribed to the foregoing memorial afford a sufficient guarantee for the truth of all the statements it contains. They are the names of the foremost men then living on the Eastern Shore.

Then comes the report of the King's own Commissioner, Sir John Berry, appointed to assist in the settlement of matters in Virginia. In summing up the sufferers by Bacon's Rebellion he writes:

"IN ACCOMACK

"The Gentlemen of this Province were very Loyal to his Majestie and Faithfull and constant to the Governor, and must therefore of consequence, be greate suffers since the place was the onely shelter for the Governour and his Party during the Troubles in other Parts of his Majesties Colony of Virginia; from which this is separated seven leagues distance.

"The Persons of Particular Emmency were these, vizt: Col. Stringer, Col. Littleton, Mr. Foxcroft, Major Jenifer and in the first Place.

¹Son of Col. Edmund, who died in 1670-71, and brother of Col. Charles Scarburgh.

"Major Genll. Jo. Custis whose house was Sir William Berkeleys continued Quarters, a person who at all tymes and Places boldly asserted, & supported to his power the Governours honour & cause in his Maties behalfe against the Rebels. This worthy Gentlemen upon consulting severall of the most eminent and able persons in Virginia for victualing his Majestyes ships there, most frankly engaged to lend the King a Thousand pounds sterling on his owne account, to promote and advance thereof, if it possible have been performed answerable to his Maties on their Exigency, which none would undertake to do.

"(Signed) JOHN BERRY.

"Ed. in Oct. 15, 1677."

This contemporaneous writing should settle beyond question the fact that the governor made "Arlington" and "Old Plantation" his permanent headquarters during the rebellion.

We have seen how Sir William Berkeley left nothing undone to punish those who had taken sides with Bacon. The following extract from the records of Accomac in reference to Jenifer show that in punishing his enemies the Governor did not forget to reward his friends.

"By his Majesties Governr and Captain Generall of Virginia.

"Whereas, Capt. Daniel Jenifer of Accomac county of Virginia hath fully approved himselfe a good and loyall subject of his Most Sacred Majties Govr, being always ready to serve and obey me his Majties Govr in suppressing the present Rebellion, and understanding the said Capt. Jenifer was added to the Commission for the peace for the sd court held for the sd County, admitted to the same place he was put in the sd Commission, he first taking the oathe of allegiance and the oathe of a justice of the peace.

"Given under my hand this ye 8th day of December, in the eight and twentieth years of the reigne of our Sovereigne Lord King Charles the Second, Annoque Dom., 1676."

The attitude of the Eastern Shore during Bacon's Rebellion may now be summed up in a few words, and the facts set forth in this chapter should convince the reader that our historians have erred grievously in their "slap-dash" accounts of the Eastern Shore at this time.

First: The grievances of the Eastern Shoremen were local in character and not such as would lead to the taking up of arms.

Second: The gentry, among whom were some of the most prominent men in the Colony, did not array themselves along any hitherto existing party lines. The large majority of them adhered to Berkeley and devoted their swords and means to his support, but those who joined Bacon denied that they did so out of a spirit of disloyalty to the King.

Third: The masses were indifferent as to the Rebellion at first, but won over by promises of exemption from taxation and the influence of the gentry, a few of the common people enlisted for service against Bacon.

Fourth: Contemporaries and Historians have generally erred in charging the Eastern Shore with the disorderly mob of freebooters which gathered about Berkeley, because the point of assembly was on the peninsula.

XIII

TOWNS AND COURTHOUSES BUILT. TOBACCO TROUBLES.

JACOBITISM

The troublous period of Bacon's Rebellion and the constant excitement incident thereto had proved too much for the fierce old Governor. His health as well as his temper had been so overstrained that he was unequal to the task of governing the colony. He was recalled by the King, April 27, 1677, and leaving the scenes of his glory and trouble soon after, died in England (in July) without seeing his royal master whom he had endeavored to serve so faithfully.

The General Assembly which met at Middle Plantation, on October 10, 1677, at the call of Lieut.-Governor Herbert Jeffreys, continued its sittings for one month, and in that time undertook to settle the Indian troubles and many other pressing questions. We have no record of the Burgesses from the Eastern Shore, but representatives were sent to this assembly. General Custis, of Northampton, was elevated to the Council. The Burgesses of Accomac introduced a most important matter bearing upon the liberties of the people, not only of the Eastern Shore, but of the whole colony. Until this time, witnesses were frequently allowed to testify without being sworn, and the accused was forced to testify against himself, or to have his silence construed as a confession of guilt. In order to correct so grievous a practise, contrary to the laws and liberties of the people, the question was raised, with the result that the Assembly took cognizance of the matter and ordered as follows:

“Upon a motion from Accomac County, sent by the Burgesses, it is answered and declared, that the law has provided that a person summoned as a witness against another, ought to answer upon oath, but no law can compel a man to answer against himself in any matter wherein he is liable to corporal punishment.”¹

This, indeed, was a great service on the part of the Accomac Burgesses and they should be credited for the stand they took in the matter. Furthermore, they pressed with great energy the claim of that county to exemption from taxes in accordance with Governor Berkeley's promise; but this was not the only promise of the departed Governor's which was not fulfilled.

In 1679, the Governor of Virginia was invited to send representatives to a general council to be held in New York, in order that the various colonies might confer through their commissioners with Governor Andros as to Indian affairs generally and the Six Nations more particularly. These Indians had proved a great source of disturbance to the outlying tribes, and extended their influence as far south as Virginia. As much of the trouble of 1676 was directly attributable to the activities of the New York Indians, Governor Chicheley commissioned Colonel William Kendall and Colonel Southey Littleton, of Northampton and Accomac respectively, to attend the conference. On the 31st of July, the commissioners arrived in New York with their credentials, and it was arranged to hold a council in the autumn at Albany, with the Onandagas and other bands of the Iroquois. The policy adopted by the colonies of acting in concert in their dealings with the Five Nations resulted in much good. Hitherto, each colony had safeguarded its own interests merely by diverting the Indians from attack upon itself,

¹Hening, Vol. II, p. 422.

without thought of the other colonies. Now, by united efforts, the Indians were to be gradually urged westward.¹

We are told that the Virginia Commissioners accomplished very little except with respect to the Mohawks, but Maryland, being more exposed to the inroads of the Five Nations, persisted in her efforts and finally negotiated successful treaties with them.

While in New York, Colonel Southey Littleton died at the house of Robert Livingstone on the Hudson River near Albany.²

The feeling at this time that the Eastern Shore, or Accomack, as it was generally called, was a more or less separate province, in more ways than its geographical position, is illustrated by Act IX of the Assembly which convened in April, 1679. After authorizing Major Smith and Captain William Byrd to seat certain lands at the head of the Rapahannock and James River, and mentioning the colony in a general way, the act prescribes:

"And it is further enacted by the present Grand Assembly and the authority thereof, And it is hereby enacted, that the like privilege and immunities on like conditions and with like exceptions be granted to such one or more persons, who-soever shall be willing to undertake the same on the Eastern Shore, at the frontiers thereof at such places as shall be appointed by the Grand Assembly, etc."³

¹For full account of Indian Councils of this period, see Osgood's *American Colonies in 17th Cent.*, Vol. II. pp. 422, et seq. Colden, *Five Nations*, p. 50. Heckewelder, *Hist. of Indian Nations*, Introduction.

²The will of Col. Littleton, for years, could not be found. Very recently, the late John Cropper, of Washington, discovered a record of the will, which had been filed in Albany. He mentioned the fact to his host, Mr. Oliver Livingstone, and was informed by him that the testator had died in the house of the Livingstones on the Hudson River.

³Hening, Vol. II, p. 434.

The act grew out of the desire to extend the settled portions of the Colony, thus rewarding adventurous persons who were willing to risk the danger of contact with the Savages. But no such danger was to be anticipated on the peninsula. The Maryland frontier was as well settled as any portion of Accomac, and the few Indians remaining there were in a state of perfect subjugation. Such an offer must have been made under a misapprehension of the facts, unless the policy of the government was to repudiate the Calvert-Scarburgh boundary and secure a better title to the disputed territory by occupation. If such was the design, it was abandoned soon after 1679, for in 1688 the Calvert-Scarburgh line was recognized by the colony, and it was regarded as a landmark throughout years of contention, finally resulting in an adjustment by arbitration in 1894.

As further illustration of the peculiar view entertained with respect to the Eastern Shore, we find this Act of 1679:

“And to the end that the Eastern Shore may not altogether be left without defense against the Indian Enemy, if any shall attempt thereon, or any such attempt shall arise among the inhabitants there; be it enacted by this grand assembly, and the authority thereof, and is hereby enacted, that the inhabitants on the Eastern Shore may have, and it is hereby declared that they have, the same liberty to make garrisons and raise soldiers in a manner and form as it is allowed to the several counties on the Western Shore, or to raise and employ their soldiers in ranging as they may find occasion.”¹

The great desire of the King for many years had been to see populous towns and villages scattered over his Virginia domains. The Acts encouraging frontier posts not only involved purposes of general defense and the opening up of

¹Hening, Vol. II, p. 439.

new territory, but were also designed to promote the formation of centers of population. The rapid growth of the New England towns misled the King into believing that a similar development could be brought about in Virginia, and from an early date he had proceeded to legislate towns into existence. But the towns so far had remained on paper, giving their names only to large stretches of wilderness.

The seductive sweetness of life upon the healthy soil of the peninsula, with its many coves, bays, inlets and navigable creeks, enticed the settlers to its shores, and in spite of the wishes of the King, the settlers spread out along the coast and nothing could induce them to give up the placid prosperity and happiness of their sea-side farms in exchange for life in crowded towns yet to be founded. No argument could persuade the planter of the Eastern Shore to give up his acres on the banks of the creeks and the shores of the bay, where ships that sailed across the seas might tie up to his own little wharf of pine poles and oyster shell ballast, in sight of the growing products, which were to make up the foreign-bound cargoes.

The General Assembly showed great willingness to encourage the growth of towns in compliance with the wishes of the English Government, although its members must have perceived very clearly the impracticability of their measures.

In the session of 1661-2, the law requiring that every ship which arrived in James River should sail to Jamestown and there obtain a license to trade was reënacted,¹ in spite of the fact that such a measure would add nothing to the growth of that place, as had been already proved by previous experience, and must enhance to an appreciable extent the cost of all imported articles in consequence of the longer

¹Hening, Vol. II, p. 135.

voyage and unavoidable delay in delivering them, for the expenses of the vessel had to be recouped by the higher prices demanded from the purchaser of the goods. There was but one justification for the action of the Assembly in taking steps to compel all vessels bringing cargoes of goods into the colony to go to Jamestown and there obtain a license to sell, namely, the endeavor to keep the volume of revenue undiminished, since all liquors, if landed elsewhere, escaped the burden of the import tax. But if this was the motive governing the Assembly, it was soon seen that the regulation was impracticable. A determined effort was now made to carry out the instructions that a town should be built upon every river to serve as a port of entry. In the session of 1662, there was passed the most detailed and carefully considered measure which had as yet been brought forward.¹ This law constitutes one of the most interesting acts of legislation in colonial history, and might be regarded as a remarkable "triumph of legislative hope over practical experience," were it not for the statement of the preamble that the Assembly had undertaken to encourage the building of towns because they looked upon it as their duty to conform to the wishes of their sovereign in England. There is a brief reference to the probable economic advantages to accrue to themselves. The determination to establish these towns had its origin almost exclusively in a feeling of loyalty, a poor justification for so momentous a step. The hand of Berkeley is detected in the whole framework of the statute and his preference is evidently consulted.

A full synopsis of this act will be found interesting as revealing the procedure of the General Assembly in the seventeenth century when it sought to build up a town in

¹Ibid, pp. 172-176.

the face of a powerful combination of hostile influences. The best means to promote the growth of the capital was the problem which was to occupy the attention of the colony during the first year after the passage of the statute, and at the end of that time the public energies were to be devoted to establishing a town on the York, Rappahannock, and Potomac respectively, and on the Eastern Shore.¹

As was to be expected, no town on the Eastern Shore of any size sprang up as a result of such fostering methods, and the matter was dropped until 1680, when an elaborate measure was drawn up by the Assembly to encourage town building, known as the Act of Cohabitation. Under the terms of this statute, it was provided that fifty acres should be purchased by the authorities of each county within its own boundaries, to be held by duly appointed feoffees in trust. Calvert's Neck was selected as the town site for Accomac, and the Secretary's Plantation on King's Creek for Northampton. As an inducement to build on these sites, a lot, half an acre in extent, was granted in fee simple to any one, provided he would build a residence or store on it; the conveyance to be subject to the additional condition that the beneficiary should pay one hundred pounds of tobacco to the county.

The failure to build within three months operated as a forfeiture of the lot. If half an acre appeared insufficient for his purpose to any settler who wished to establish himself in any of these towns, he might secure an acre on condition that he should erect on it two residences or two warehouses, and should pay to the county an additional one hundred pounds of tobacco. The tobacco was forfeited if in the course of three months he neglected to erect the houses agreed

¹Bruce's Economic Hist. of Va., Vol. II, pp. 539 to 554.

upon. The surveyors who determined the boundaries were to receive, on the delivery of the plats, twenty pounds of tobacco for every half-acre laid off. If a surveyor refused when requested to make a survey of a lot, he subjected himself to the forfeiture of five hundred pounds of the same commodity to the person seeking his services. All the products of native growth and manufacture were to be brought to these towns, there to be sold, and then to be carried on board for exportation. The penalty imposed for a failure to comply with this order was the forfeiture of the articles. All forms of merchandise, all English servants and negro slaves imported into the Colony, were to be landed and to be disposed of only at these towns, under the pain of confiscation if the regulation was violated. Cattle and provisions were excepted from the operation of this rule. The cost of hiring a sloop, the only means of transporting the tobacco from the plantation, was fixed at twenty pounds of that commodity for each hogshead, provided the distance to be traversed did not exceed thirty miles; if it were greater than this, the charge was to be forty pounds, and should the owner of the sloop demand more, he was to be punished by the forfeiture of one hundred pounds for each hogshead conveyed by him at the illegal rate. The expense of storage in a warehouse was to be the same for a single day and a single month, namely, ten pounds of tobacco a hogshead. If the period ran beyond a month, the additional charge for each month was fixed at six pounds. In order to facilitate the transportation of the tobacco belonging to persons whose plantations were situated at a distance from the nearest site chosen for a town, these persons were permitted to appropriate land at the most convenient point for the dispatch of vessels, on which a rolling-house was to be erected to furnish accommodation for all the producers in their neighborhoods. When

the planter had prepared his crop for shipment, he could convey his hogsheads to this house for safe-keeping until a sloop or shallop arrived to transport them to the nearest port of entry. If he had a sloop or shallop of his own, he could either carry his tobacco to the rolling-house by water or directly to the legal port and there have it deposited in the public warehouse. The rolling-house was expected to be a shelter not only for the tobacco in the course of transportation to the port of entry, but also for the goods which had been unloaded at the latter place and had afterwards been brought to the rolling-house for distribution among the planters residing in the neighborhood. It can be seen how seriously a provision of this kind, if carried fully into effect, would have added to the expenses of the planter. Instead of dropping his anchor at his wharf and there discharging a cargo of goods and taking on a cargo of tobacco, the trading-vessel would have stopped at a point ten, twenty, or even fifty miles away. Whether the planter was compelled to reach this by transporting his tobacco in a hired shallop or sloop, or in a vessel of his own, he would have been put to an expense for which he could expect no return. The intervention of a rolling-house would have been favorable to his convenience, but would not have diminished the charge imposed by the system of ports of entry. Under the terms of this law, the tobacco conveyed thither was to be exempted in the course of transportation, and after it reached its destination, from the process of law for any debt which might have been contracted previous to the passage of the statute, and the same privilege was extended to the bodies and estates of the new town. In neither case, however, was it to continue for a longer period than five years. At the end of that time, the creditors of such persons might bring suit without any apprehension lest the statute of limitations should be

offered in bar. To enjoy this protection, it was necessary that the debt should not have been contracted within the bounds of one of the proposed corporations. After the publication of the Act, all mechanics residing in the new communities were to be exempted for a period of five years for the payment of levies, on condition that they neither planted nor tended tobacco. In order to diminish the expense entailed in establishing a town, it was provided that two counties might unite and erect it upon a site equally convenient to the inhabitants of both.

This Act was as judicious and as far-seeing in its details as any law, with so impracticable an object in view, could have been. No influence was omitted that was likely to impress the minds of persons who were in a position to build in the towns projected. The offer of a lot for a small amount of tobacco and the exemption within the boundaries of each town of the person and property of its citizens from the process of law for the recovery of debts which had been contracted previously elsewhere, were in themselves inducements of the highest importance. The law of 1680 was not open to the objection which could be very justly urged against the statute of 1671, for it did not seek to establish one port on each of the four large rivers of the Colony; on the contrary, a port of entry was appointed for each county on a site admitted to be the most convenient for a majority of its inhabitants.

In accord with the provisions of the Act of Cohabitation, steps were taken by the authorities of all the counties to lay off sites for towns at the different places designated by law. Records of this fact have come down to us in a few instances only.¹

¹Bruce's Economic Hist. of Va., Vol. II, pp. 549-552.

Later on, the failure of the Cohabitation Act to create flourishing ports led to the enactment, in 1691, of the Act for Ports, practically the same town sites being designated as in the previous measure. The new act provided for the forfeiture of all goods not cleared through one of the established ports. The statute proved so unpopular that it was suspended in the session of 1692-93.

The site for a town in Accomac, designated by the Act of 1680, was particularly described as "Calvert's Neck on the northwest side at the head of an Anchor Creeke."¹ This town was called Onancock after the creek upon which it was located, and is one of the oldest towns on the peninsula. Pursuant to the Act creating the town, the first county court house was erected there, and also a warehouse. During the next few years, several dwellings were built near the public buildings,² and a Clerk's Office was added to the settlement. Onancock was the county seat until about 1786, when a new court house was erected on the land of Richard Drummond, midway between the sea-side and bay-side of the peninsula.³ The old county seat was abandoned in order that the new court house might be equally convenient to all of the inhabitants of the county, and with that end in view it was located at a central point, and called Accomac Court House. A cluster of houses soon sprang up about the court house, and by reason of Richard Drummond owning the land, the town became known as Drummondtown. To this day the place is called both Accomac Court House and Drummondtown.

While the court house was taken from Onancock in 1786, the clerk's office was not moved until a later date.⁴

¹Purvis mistook the name Onancock for the name an Anchor. Hening, Vol. II, p. 473.

²Hening, Vol. IV, p. 53-59.

³See Petition of Inhabitants of Accomac, Dec. 7, 1786-18, Abstracts of MS. in Va. State Library.

⁴Abstracts of MS. in Va. State Library, Petitions A-19 and A-20, Oct. 22, 1787.

The site first selected for the town in Northampton was described as being "at the north side of King's Creeke, beginning at the mouth, and soe along the creeke on the land belonging to Mr. Secretaryes office."¹ Thus we see that the original site of the town of "Accomack," founded in 1620, was selected in preference to Old Plantation, King's Creek affording better depth and anchorage. This site was in turn abandoned and in 1691 the town was ordered to be located "upon one of the branches of Cherrystone Creek on the land of Mrs. Anna Lee, daughter of Captain Hancock Lee, now in the tenure of the widow of Andrew Small."² This town was known as Cherrytone and was not far removed from "Huntington," the estate of Colonel Obedience Robins. The only town to-day of any size in this part of the peninsula is just south of King's Creek and on the site designated in 1680. It is known as Cape Charles City, though ten miles north of the true cape.

The first court house in Northampton County was built just after the division of the peninsula and was located at a place called Town Fields, by reason of the fact that it was on the site of the original Accomack town on Secretary Pory's land. According to the old records, it was located on the west side of a "gutt that empties into King's Creek near the present city." This building was completed after March 2, 1664, since, on that date, Court was held at the house of Jacob Dalby.

The structure was but a temporary one and very small, being only twenty feet long by twenty wide and nine feet in pitch. The work, which was undertaken by Colonel Wil-

¹Hening, Vol. II, p. 473.

²Hening, Vol. IV, p. 53-59.

liam Waters, must have been finished by 1671, for, in the course of that year the court gave an order for the erection of a bar, as a great pressing forward of the attendants disturbed the quiet and decorum of the sittings. Six years later, an Act of Assembly having authorized the erection of a new court house, the freeholders and householders, who alone enjoyed the suffrage, were summoned by the justices to meet at the old court house, on an appointed day, to select a new site.¹ The first building cost 7,122 lbs. of tobacco, which was advanced by Colonel Waters and refunded to him by order of the court.

Peachburg, located between the Horns of Hungar's Creek, was selected as the site for the new court house built in 1680. This structure cost 7,127 lbs. of tobacco, and was erected on the land of Colonel William Kendall, who gave 300 acres to the county for the purpose of building the court house thereon. In the deed of gift, it was specified that the court house should be 25 feet long and 18 feet wide, with a chimney on the outside. The site selected for this building was near the present court house, and was chosen because equidistant between "Old Plantation" and Bridgetown or Nassawattocks, the only two villages in the lower peninsula in 1680. More than one hundred years ago the present court house and clerk's office were erected, and having no use for the older building, the county leased it to a Mr. Nottingham for one dollar per annum, provided he would put a new roof on it, and the lease was to run as long as the new roof lasted and the rent was paid. Nottingham is said to have soaked his shingles in linseed oil, and until recently the roof was almost as good as ever, to the great satisfaction of Nottingham's heirs, who annually paid their rental. Peachburg is

¹Northampton County Records, Vol. 1645-51, p. 173; Vol. 1654-55, p. 4; Vol. 1657-64, folio, p. 191; 1664-74, p. 110; Vol. 1674-79, p. 203.

now called Eastville, which was the metropolis of the Eastern Shore of Virginia, until the N. Y. P. & N. R. R. established a terminus at Cape Charles City in 1884.

While the original towns were building on paper in the latter part of the seventeenth century, and tottering upon "sandy foundations," many little villages sprang up about the wharves and creeks, none of which, for many years, aspired to corporate existence. The wharf from which the planters loaded their tobacco or the simple store where the ship-chandlers bartered their ropes and anchors, formed the nucleus of these settlements. Or perhaps some skillful ship-builder, like Walter Price or Christopher Stribling, who bought land in Northampton between 1666-1675, plied their trade along the shores of a creek where good anchorage might be had, and offered the attraction of a diminutive port.

These old carpenters and ship-builders seem to have been constantly occupied and prosperous, for we read of William Foster of Northampton, and Robert Wilson of Accomac, selling, between 1669 and 1690, fifteen hundred and twelve hundred acres of land respectively, all acquired, no doubt, with the profits of their trade.¹ That the ship-builders and carpenters of the Eastern Shore at that time belonged to a class enjoying unusual advantages is shown by the fact that many could sign their names, an accomplishment which was by no means general at that day.² Even to this day, the ship-builders and mechanics of the Eastern Shore enjoy a higher social position than elsewhere in the State.

The Act of 1680 for establishing towns, and which required vessels to be laden at certain specified places, worked, as we

¹Records of Northampton County, Vol. 1668-1685, p. 1. Records of Accomac Co., Vol. 1676-1690, p. 9.

²Bruce's Economic Hist. of Va., Vol. II, p. 424.

have seen, great hardships upon the planters when the time came to ship tobacco, for any law which affected this great crop and medium of exchange instantly reflected upon the welfare of the people. While not as much tobacco was raised on the Eastern Shore as in the other counties of Virginia, yet it was the staple crop, and at an early date received the attention of the authorities at James City. We have seen in a previous chapter that warehouses were established, and that, in 1639, it was necessary to appoint official viewers to see that the staple came up to the legal specifications.¹

On February 20, 1640, a proclamation was issued by Governor Francis Wyatt, prohibiting tobacco from being shipped without examination, much loss having occurred the year before by dishonest people mixing new and old leaf. Shipmasters were required to give an account of the number of hogsheads they accepted for transportation.

In 1641, all other crops had been so sadly neglected in favor of tobacco that, on June 25th of that year, in order to encourage more attention to grain and other products, a proclamation was issued forbidding the setting out of more than 1,000 tobacco plants by any one planter; and the commission merchants, buying on foreign accounts, as well as the masters of ships, were prohibited from taking tobacco except from the established warehouses. Such a restriction not only discouraged the planting of tobacco but enabled the customs officers to collect the revenue with ease.

The duty of two shillings per hogshead on tobacco, repealed in 1659, was revived in 1662, and was for a long time a source of much revenue. During the interval between 1662 and 1679 it was found necessary to pass a special law for the collection of this duty on the Eastern Shore as well as in the

¹See chapter on County or Shire of Accomack.

other parts of the Colony. Many ships arriving in the Chesapeake, anchored along the shores of the peninsula, and sloops and shallops transferred the tobacco of the local planters over the boundary to Maryland, where it was re-shipped to foreign ports on these same ships. Planters were, therefore, required to inform the tax collector as to the amount of their crops, and the persons to whom these crops had been sold. This ordinance remained in force for seventeen years.¹

In a petition offered by Colonel Edmund Scarburgh in 1663, it is affirmed that, at this time, each planter was required to take an oath that he would give a true statement as to the amount of tobacco which he had produced during the session just closed, to whom it was sold, and by what ship or means it was transported out of the county.² A short time before this, five Dutchmen, who formed a part of the crew of the "Northampton," having been put on shore in order to comply with the act which prescribed that three-fourths of the Sailors manning an English vessel should be Englishmen, the court ordered the payment to these alien mariners of their full wages and an additional sum to meet the expense of their passage to Europe.³

There is evidence that even the customs officers sometimes connived at the violation of the act. Thus, in 1663, the "Royal Oak" was seized in the waters of Accomac because it had come directly from Holland with a cargo of merchandise. The owners appear to have made, with little difficulty, an arrangement with Colonel Scarburgh, the customs officer of the Eastern Shore, by which he consented to allow the vessel to be loaded with tobacco and sail directly to the Low Countries.⁴

¹Hening, Vol. II, p. 443.

²Accomac County Records, Vol. 1663-1666, p. 48.

³Northampton County Records, Vol. 1657-1664, p. 86.

⁴Accomac County Records, Vol. 1663-1666, p. 46.

In 1699, there were eight districts where taxes on export tobacco were collected. Of the eight districts, Accomac produced by far the smallest amount of tobacco.¹

The Act of 1680, so far as it attempted to regulate the shipment of tobacco, was found impracticable and was openly disobeyed. The people of the Eastern Shore rose *en masse* to protect against the hardships of the law; and in compliance with the petitions of several of the counties on the Western Shore, an Assembly was called together in April, 1682, by Sir Henry Chicheley, who was acting as Deputy Governor in the absence of Lord Culpeper. After much useless debate, the Assembly was dissolved, nothing having been accomplished. The next month, the people in certain sections of Eastern Virginia and on the Eastern Shore began a crusade of "tobacco cutting," or destruction of the plants in the beds. The entire crop for the next season was threatened, and in vain the Deputy Governor endeavored to put an end to the practise.

Robert Beverley, clerk of the House of Burgesses, and a man who had rendered valuable service to Berkeley during the Rebellion, was charged with the instigation of tobacco cutting, and other offenses, and was arrested in May, and confined on a vessel lying in the Rappahannock. On June 15th, he was ordered to be sent as a prisoner to the Eastern Shore, and to be conveyed by a guard and the sheriff of York on board Colonel John Custis's sloop and delivered to the sheriff of Northampton.² But before Colonel Custis's sloop set sail, Beverley escaped, probably with the assistance of the guard. He was re-captured, however, at his home in Middlesex, and on June 25th he was again sent on board Custis's sloop to be transported to Northampton, where he

¹Bruce's Economic Hist. of Va., Vol. I, p. 456.

²Hening, Vol. III, p. 545-547.

was confined. The privilege of guarding Beverley, was, no doubt, an unpleasant one for the sheriff of Northampton, for a number of the principal citizens of the Eastern Shore were implicated in "tobacco cutting," and were even now fugitive from justice. Besides, Beverley had spent much time on the Eastern Shore as an officer of the King during the Rebellion, and being affable and courteous he had made many friends at the Northampton Court. On September 25th, Beverley petitioned the general court through the court in Northampton, for a writ of habeas corpus, but was denied the right.¹ But the authorities were afraid to proceed further against him, and waited impatiently for the return of Lord Culpeper. Early in November the Governor returned and convened the Assembly on the 25th of the month. In the meantime, the Deputy Governor had not handled all of the plant cutters with as much deference as he had shown Beverley. Many of the ringleaders had been apprehended and some of them hanged. An Act prescribing others and making the offense high treason had put an end to tobacco-cutting and forced the guilty to flee the jurisdiction. Among these were Richard Bayly, who had escaped after being condemned; John Hayley, Henry Ismon and John Wise, all of Accomac.

In the proclamation of amnesty which the Governor issued in May, 1683, all offenders were pardoned except Beverley, and a few others.² Beverley in the meantime had been transferred to York and was proceeded against under various charges. The trouble blew over in a short time and soon the guilty Accomackians returned to their homes.

About this time, the counties were sub-divided into divisions, subject to rules and alterations of the local court. Precincts or burroughs were formed, and a constable ap-

¹Hening, Vol. III, p. 545-547.

²Hening, Vol. III, p. 563-564.

pointed for each; and each precinct or walk had its county road surveyor. Then the entire colony was divided into five great escheat districts, the limits of which were the natural divisions of tide-water Virginia formed by the peninsulas between the great rivers.

The district of the Eastern Shore was divided into five sub-divisions or necks of land, each with its escheat master.

Another great division of the colony was that into six revenue districts according to the navigable waters and shipping. Each district was commanded by a naval officer, usually a member of the Council; and for each district there was a Collector of Customs. At first, the Pocomoke River was a separate district from that of the lower peninsula, but they were subsequently united into one.¹

The naval officer and collector for the Eastern Shore, under Governor Andros, from 1692 to 1698, was Colonel Chas. Scarburgh. He was preceded by his father in the office of Collector and was succeeded by his son Henry.

It will be recalled that one of the complaints in the Northampton petition grew out of the irregularity with which courts were held. This was also a source of much complaint in Accomack. In October, 1686, a law was passed appointing the third Tuesday of June, September, November, December, February and March, as court days, and providing for at least six sittings of the court each year.² But even this arrangement did not prove adequate, and in September, 1696, it was repealed, and the first Tuesday of each month appointed as Court Day.³ A monthly court day for Northampton was also established.

¹Beverley's History of Va., p. 195.

²Hening, Vol. III, p. 30.

³Hening, Vol. III, p. 140.

The Assembly of 1685, of which Colonel William Kendall of Northampton was Speaker, was a stormy one.¹ This was the period of Jacobitism in Virginia.² James II, at first hailed with delight by Virginians as King, soon fell into disfavor among his colonial subjects. He laid a new tax upon their tobacco; discouraged their efforts to establish factories which would make them more independent of the mother country; forced a large number of military prisoners into Virginia, and vented his spleen in numerous ways upon the Colony when the Burgesses refused to legislate as he directed.

For some time the Burgesses had been able to accomplish nothing in the way of needed legislation. The Assembly had been frequently prorogued. Its clerk, Robert Beverley, had been disfranchised and prosecuted, and at last in May, 1687, the body was dissolved. The inherited loyalty of the Virginians to the Stuarts was overtaxed by such proceedings. The early colonists had entertained great affection for the monarchy, and as Virginia was but little affected by the misgovernment of James I and Charles I, the colonists were, with few exceptions, loyal to the Crown and Stuart family. Loyalty in the main, however, is but a sentiment after all, and few sentiments thrive when contrary to the interest of the sentimentalist. Oppressive measures, high taxation, avaricious and law-contemning governors, low prices of tobacco, and the entire disregard of the wishes and opinions of the Virginia people, as evidenced by the grants to Arlington and Culpeper, left only a feeble sentiment of loyalty by the year 1688.

¹Col. Va. Register, p. 84. McDonald Papers, Va. St. Library (copied from English public record). See error as to representatives of Accomac and Northampton.

²See Va. Mag. of Hist. and Biog., Vol. VI, p. 389, for interesting facts.

In addition to his other offenses, the King was charged with the desire to re-establish the Church of Rome in his domains. The ground which Catholicism was rapidly regaining in England under James's fostering hand, was a source of the greatest alarm to the Protestants in Virginia, whether Church of England men or Non-Conformists. The clergy had become inflamed and were preaching a holy war, actually inciting the people of one county to take up arms. As early as 1686, the excitement had spread to the Eastern Shore, where the Anglican Church had been thoroughly re-established, after years of laxity. So palpable were the designs of the King, that Colonel Edmund Bowman, a magistrate of Accomac, lost his head and cried out in public against the popish allies of his Sovereign.¹ He was promptly summoned before the Council on a charge of treason, but being a wealthy and influential man and of the same views as many of the Council, he escaped with a fine.²

A number of appointees of the King were suspected of being papists;³ in fact two new members of the Council were said to have been selected by the King on account of their Catholic inclinations. This led Colonel Charles Scarborough, of Accomac, a man as bold and fearless as his father before him and an aspirant to the office of Councillor, to exclaim in great anger in the presence of the Governor, Lord Howard, "that his Majesty King James would wear out the Church of England, for that when there were any vacant offices, he supplied them with men of a different persuasion!"⁴ The indiscreet Scarborough was at once arrested for

¹Burk's History of Virginia, Vol. II, p. 297.

²See Article on Jacobitism in Va. Mag. of Hist. and Biog.

³Burk's History of Virginia, Vol. II, p. 297.

⁴Campbell attributes this remark to Col. John Scarborough, p. 342. Cooke to Col. Edmund, p. 301.

such treasonable utterances, but not until he had voiced the sentiments of the colonists in general, which no other had had the courage to do. He at once became the hero of the people, who impatiently witnessed his martyrdom in their behalf. On October 18th, the Governor reported to the Council that he had removed Scarborough from his various offices for treason to the crown, and he was forthwith ordered to appear for trial on such a charge.¹ The prosecution, however, like the one to which his kinsman, Colonel Bowman, had been subjected, was more or less of a farce, for the temper of the people was not such as to permit of harm to their champion. Scarborough was soon discharged and reinstated in his offices. This action on the part of the authorities was an acknowledgement of their disapproval of the present state of affairs and for it the Council would no doubt have been reprimanded had not the King been intently absorbed with more pressing affairs at home.

At a most opportune time, so far as Virginia was concerned, the despicable James II abdicated during the early winter of 1688, and the excitement in the Colony at once abated, and finally disappeared upon the ascension of William and Mary to the throne in February, 1689. Lord Howard was relieved and succeeded by Nicholson as Lieutenant Governor; who, in turn, was succeeded by Sir Edmund Andros, in 1692.

As an indication of how intensely James was hated by the hitherto loyal gentry of Accomac, an interesting case is cited. In March, 1689, when a party of gentlemen were dining with Colonel John Custis, a toast to the Prince of Orange was proposed. Henry Pike, one of the guests, as he raised

¹Notes from Colonial Papers, American and West Indies, 1685-1688. Minutes of Council of Virginia, Oct. 18, 1688.

his bumper, exclaimed, "God save the King," whereupon he was immediately arrested by his host and companions. The news of the King's abdication and the accession of William had not then been received.

Now that Protestantism had conquered, Colonel Charles Scarborough was rewarded for his fearless and uncompromising resistance to the schemes of King James and Effingham, and was appointed to the Council in 1691, remaining in that office until succeeded by Colonel John Custis III, in 1699.

While the religious excitement was in progress, Colonel John Custis, of "Arlington," Sheriff of Northampton, had been guilty of misconduct in office, in that he had taken unlawful fees from the people in May, 1688. It does not appear that there was any question of dishonesty on his part, but simply that he claimed certain fees which the people maintained were not due him, and that he made his returns accordingly. A complaint was thereupon forwarded to the Assembly, who referred it to the Governor and Council. The Council refused to take cognizance of the matter, and on May 9th, the Governor "gave a soft answer"¹ to the complaint against Custis and promised the Burgesses to rebuke him. The Burgesses, however, were not willing to be put off in this way, and after they had demanded that they be given the opportunity to prove the charges against Custis, he was ordered to be tried. On April 18th, of the following year, he was fined 2,000 pounds of tobacco for making false returns as sheriff.²

On June 3, 1699, the Militia officers appointed for the Eastern Shore under Nicholson's new régime were:³

¹A very expressive phrase.

²Historical Memoranda Relating to The House of Burgesses 1685-91. Va. Mag. of Hist. and Biog., Vol. V.

³Congressional Library Manuscript. Records of Va. Council, 1698-1700.

“ACCOMACK—Charles Scarburgh, Col. & Com'dr in Chief,
Richard Bayly, Major.

NORTHAMPTON—John Custis, Col. & Com'dr in Chief,
Nathaniel Littleton, Lieut. Col.,
Wm. Waters, Major.”

The population of the Eastern Shore by 1700 had greatly increased; and Accomac had far outstripped Northampton. In the former county there were about 1,000 tithables, and in the latter about 700, with a total population for the peninsula of about 5,000 souls. There were practically no Indians left. The following Board of Trade Reports for this period are interesting as well as instructive. In it we find the principal offices of the Eastern Shore filled by the sons and grandsons of the first settlers.

“BOARD OF TRADE—1699

ON THE EASTERN SHORE—Henry Scarburgh, Collector.

John Custis, Naval Officer and Receiver of the Virginia duties.

FOR THE EASTERN SHORE—Charles Scarburgh, Esq., one of his Ma'tys honble Council, was appointed Collector by the honble Comrs of the Customs, Naval Officer and Receiver of the Virginia duties, by Sr. Wm. Andros, &c.

NORTHAMPTON COUNTY

Civ.

Coll. John Stringer	Mr. Argoll Yeardley
Lt. Coll. Wm. Waters	Mr. Hancock Lee
Coll. Wm. Kendall	Mr. John Custis
Capt. John Robins	Mr. Tho. Harmanson
Maj'r Wm. Spencer	Mr. John Eyre
Capt. ffra. Piggott	Capt. Wm. Whittington

Mil.

Coll. John Custis	Capt. John Robins
Coll. John Stringer	Capt. ffra. Piggott
Lt. Coll. Wm. Waters	Capt. Hancock Lee
Maj'r Wm. Spencer	
Capt. Wm. Whittington	
(Horse)	

ACCOMACK COUNTY

Civ.

Maj'r Charles Scarborou(gh)	Capt. Rich'd Hill
Lt. Coll. John West	Mr. Rich'd Bayly
Maj'r Edmund Boum(an)	Mr. Obedience Johnson
Capt. Danll Jennifer	Mr. John Wallop
Capt. Wm. Custis	Mr. Hillary Stringe(r)
Capt. Edmund Scarborough	Mr. Tho. Wilbourne
Mr. George Nicholas Haak	
(Hack?)	

Mil.

Coll. Wm. Kendall	Capt. Edmund Scarburg
Lt. Coll. John West	Capt. Danll Jenifer
Maj'r Charles Scarborgh	Capt. Obedience Johnson

The name of other Counties, the names of the Justices of the Peace for the same, the date of their Commission, the name of the severall Sheriffs for this present yeare, 1699, And the names of the severall Clerks of the County Courts in this his Majties Colony and Dominion of Virginia, are as followeth:¹

NORTHAMPTON—8 JUNE, 1699

John Robins	Obedience Johnson
John Custis	(Sheriff) Nathaniel Littleton
Philip Fisher	William Waters

¹Va. Mag. of Hist. and Bio., Vol. I, pp. 229-231.

QUORUM

Ralph Pigot	Jacob Johnson
Wm. Harmanson	Thomas Savage
John Powell	George Harmanson
Daniell Neech, Cl'k Court Northampton	

ACCOMACK

Edmond Scarburgh	(Sheriff) Tho. Welbourne
George Nicholas Hack	Edmond Custis
Richard Bayly	

QUORUM

George Parker	Robert Pitt
Robert Hutchinson	John Watts
Edward Moore	

John Washburne, Cl'k Accomack

Escheator for Eastern Shore—Col. John Custis.

Surveyor, Northampton and Accomac—Edmond Scarburgh.

BOARD OF TRADE REPORT—1702¹

Indians: Pungotege, Matompkin, Gingotege, Kiquotank, Matchapungo, Occhanock, Chisonnessex, Gingase.

Navigable Rivers: Eastern Shore, Northampton, Accomac Rivers.

Navigable Creeks and Members thereunto belonging: Smith's Island R., Cherrystone C., Hungars C., Naswarock C., Occohannock C., Cradock C., Nandua C., Pungotege C., Ononcock C., Checonesick C., Deep C., Hunting C., Pocomock R.

¹Va. Mag. of Hist. and Bio., Vol. I, pp. 364, 370.

ACCOMACK COUNTY

Acres of land—200,861.

Tithables—1,141.

Burgesses—Tho. Welburn, Tully Robinson.

Justices of the Peace—Edmd Scarbrough, Geo. Nich. Hack, Richd Bayly, Tho. Welburn, Bennitt Scarbrough, Geo. Parker, Robt. Hutchinson, Edwd Moore, Robt. Pitt, Jno. Watts, Southey Littleton.

Escheator—Edmd Scarbrough.

Coroners—Edmd Scarbrough, Tho. Welburne.

County Clerk—Jno. Wasburne.

Surveyor—Edmd Scarbrough.

NORTHAMPTON COUNTY

Acres of land—102,099.

Tithables—693.

Burgesses—Wm. Waters, Jno. Powell.

Justices of the Peace—Jno. Robins, Phill. ffisher, Obed: Johnson, Nath: Littleton, Wm. Waters, Jno. Custis, junr., Ralph Piggott, Wm. Harmanson, Jno. Powell, Jacob Robinson, Tho: Savage, Geo. Harmanson, Littleton Robinson.

Escheator—John Custis.

Coroners—Wm. Waters, Jac. Johnson, Geo. Harmanson.

County Clerk—Danl Neech.

Surveyor—Edwd Scarbrough.”

XIV

THE EARLY CHURCH ON THE EASTERN SHORE. PURITAN MINISTERS. MAKEMIE

Seldom has the influence of offspring upon the parent been so great as in the case of Maryland and Virginia. The policy of religious freedom, pursued in the foundation of the former colony, was a cause, the effects of which spread beyond the bounds of Maryland, and exercised great influence over the people of adjacent territory, particularly over the people of the Eastern Shore of Virginia. The various religious doctrines, nurtured by the state policy of Baltimore's tolerant government, spread with insidious certainty among the cosmopolitan ranks of the Eastern Shore population, where the Puritans of New England and New Netherlands in their seeming acquiescence in the established faith were fast undermining the hold of Episcopacy. Upheld by the law during the seventeenth century, it was not until a later date, when the state as well as the church had been honey-combed by free-thinkers, that the old structure fell and that the masses, who had long supported the religion of a minority, asserted their doctrinal independence. As we follow the history of the Eastern Shore, we find the Puritan from New England and New Netherlands, the Quaker, and the Presbyterian, each in turn seeking the shores of the remote peninsula as a nesting place, where unmolested the new sects might hatch out their doctrines. The effect upon the people of such a process of religious incubation among

them cannot be overestimated, and as we take up the history of the peninsula in the following century, we shall see how the Baptist and the Methodist also prospered upon those shores. The effect of religious liberty on the peninsula while the other Virginians were bound hand and foot by the authorities of the established church, was to heighten the differences of character, already very striking, between the Eastern and the Western Shoreman of Virginia—dissimilarities which have continued, well defined, through two and a half centuries to the present day.

The first settlers, however, were naturally of the established faith. By established faith, as the expression is here used, is meant that outlined and sanctioned by the laws of the Virginia Company, and of which the first exponent in Virginia was the good Parson Hunt, "whose heart was in the business," of propagating and maintaining the fear and love of God among the heathen. By those who first made the effort to colonize Virginia, the diffusion of Christianity among the people of the New World was held forth as one of the objects of the enterprise, but while such a laudable object may have encouraged a few of the early adventurers, gold and treasure was the real incentive which led to the attempt. As early as 1588, Sir Walter Raleigh donated one hundred pounds, "for the propagation of the Christian Religion in Virginia."¹

When the charter was granted to the Virginia Company, in 1606, the King instructed his adventurous subjects "that all persons should kindly treat the savage and heathen people in those parts, and use all proper means to draw them to the true service and knowledge of God."² The charter itself

¹Burk's History of Virginia, Vol. I, p. 66.

²Ibid, p. 91.

assigns as one of the reasons of the grant, that the contemplated undertaking was "a work which may, by providence of Almighty God, hereafter tend to the glory of his divine majesty, in propagating of Christian Religion to such people as yet live in darkness and miserable ignorance of the true knowledge and worship of God."¹

Up to the time of Lord De la Warr's arrival on June 10, 1610, when he found the starving remnants of the colonists, already embarked, in the determination to desert Virginia and the sickly banks of the James, Parson Hunt had been the only minister in the Colony. With De la Warr came Chaplain Bucke.

In 1609, the Company in England had obtained from the King a new charter, by which the form of government was materially altered. Such was the fear of popery, that it was declared in the new charter that no person should pass into Virginia, but such as should first have taken the oath of supremacy.²

Prior to the time of the change in government, when a Governor was appointed in place of the Council and President, the colonists had been left to their own sense of piety as being sufficient to prompt them to a proper care of their institutions of religion, and no form of religion had been prescribed for them, other than that the exercise of Christianity in the New World should conform to the rites, ceremonies and doctrines of the Church of England.

From the time of the granting of the new charter, however, religion began to form one of the subjects of Company legislation.³ The arrival of Sir Thomas Dale, to succeed

¹1st Charter, Hazard's State Papers, p. 51. Hawk's Ecclesiastical History, Etc., p. 19.

²2nd Charter, Hazard's State Papers, p. 72.

³Hawk's Ecclesiastical History, p. 23.

De la Warr as Governor on May 10, 1611, marks the period at which penal laws were first introduced to aid the conscience and in the support of the institution of religion, laws which were as martial in tone as those generally provided by the new governor.¹

We have seen how, in 1614, Sir Thomas Dale sent the first salt-boilers to the Eastern Shore and established Dale's Gift. If any church was built at Dale's Gift or any preacher dwelt at this remote settlement, there is no record of the fact. Indeed, in the list of settlers at "Accomack" in February, 1623, the name of a minister does not appear, although we know that the Rev. Robert Bolton had been assigned to the Eastern Shore before November, 1623.

In the records of the London Company is found the following minute:

"Upon the Right Honourable Earl of Southampton's recommendations of Mr. Bolton, minister, for his honesty and sufficiency in learning, and to undertake the care and charge of the ministry, the company have been pleased to entertain him for their minister in some vacant place in Virginia."

Mr. Bolton came to Virginia with Governor Wyatt, in October, 1621, and was first assigned to Elizabeth City, where he preached about two years. He is supposed to have remained on the Eastern Shore from about 1623 to 1625 and then became rector of the church at James City. Bolton was a highly cultured man and is supposed to have been the Robert Bolton who took the degree of A. B. at Oxford in 1609.² His salary while on the Eastern Shore was fixed

¹For full text of these Church laws, see Hawk's Ecc. Hist., p. 27.

²Va. Colonial Clergy, Neill, p. 8. The English Colonization of America, pp. 321-322.

by order of his patron, the Governor, who sent Captain William Epes, Commander of the Plantation of Accomack, an order, in November, 1623, requiring him to collect for the minister's salary, ten pounds of tobacco and one bushel of corn from every planter and tradesman above the age of sixteen and alive at the gathering of the crops, throughout all the plantations on the Eastern Shore.¹ Such provision for the minister seems very insignificant in the light of modern times, but the clergymen who first came to the colony were as a rule fired with the spirit of the missionary and ventured forth into the wilderness of Virginia in the hope of saving souls and not with the prospect of financial gain. There are many worthy men to-day, carrying the word of God to the heathen, who receive salary even less than that awarded Mr. Bolton. Taking pity upon the rector, and desiring to render his lot more agreeable, Mr. Thomas Burdet, "principal merchant and devout Churchman," bequeathed the good Bolton in 1630, "a firkin of butter, a bushel of salt, six pounds of candles, a pound of pepper, a pound of ginger, two bushels of meal, a rundlet of ink, six quires of paper, and a pair of silk stockings." Judging from the items of this bequest, the testator evidently desired not only to stock the minister's larder, but to encourage him in the writing of sermons.

Exactly when the first church on the Eastern Shore was built, is not known. As there is no mention of a church in the census of 1624, but reference is made to a fort, it is probable that the handful of settlers met within the palisade to offer up their thanks to God.

An early chronicle describes the first church as, "a building of insignificant dimension, constructed of roughly piled

¹MS. in Congressional Library. Neill's Va. Carolorum, p. 407. Colonial Churches, p. 288.

logs, cemented loosely with wattle; the whole enclosed by Pallysadoes for protection against ye Indian tribe, an ever present menace to peace and safety." This simple edifice was located near the "Fishing Point" at the mouth of Old Plantation Creek, and was built probably soon after Bolton's arrival. A second church was built in the course of the next few years, and it too was but a rude log structure, more spacious, however, than the first. The new church was called the "Magothy Bay Church." Proof of its existence in 1645 is found in an early county record, which ordered that all citizens should carry "arms and fixed ammunition." Such as were caught without these were to be "punished" by being required "to clear the paths to the new church," "enclosed by a stockade." There seems to have been no legal title to the ground upon which this church was erected, prior to 1691, for in that year William Willett conveyed in consideration of 20,000 pounds of tobacco, 600 acres of land to William Baker, reserving "one acre of land, on which church now stands," "to remane for that use as long as the parish mindes to continue the same."¹ This land had been granted by Francis Morrison, Governor of Virginia, to Edward Douglas, and was confirmed by another patent by Governor Andros "to me, William Willett," nephew and heir to Edward Douglas.

The second minister, of whom we have any knowledge, was the Rev. William Cotton, from Bunbury, Cheshire, England. Cotton was minister when the monthly court was formed in 1632. On July 10, 1637, he patented 350 acres of land between the Horns of Hungar's Creek and adjoining the tract of Captain William Stone; 100 acres due for

¹Book of Deeds and Wills, Northampton County Records, No. 12, p. 198.

the personal adventure of himself and his wife, Ann Graves, and 250 acres for the transportation of five persons, Eleanor Hill, Richard Hill, Edward Esson, and Domingo and Samsó, negroes.¹ A deed on record at Northampton Courthouse shows that his mother, Joane, remained at Bunbury, after which place Cotton named his Plantation in Accomack.

The name Cotton, by association with the Cottons and Mathers of New England, has an exceedingly Puritanical aspect. There is nothing in the records to substantiate a belief that Cotton was not, just as he should have been, an enthusiastic Anglican. Yet, when we recall that his daughter married Governor Stone of Maryland, and remember the character of his successors, we are prone to entertain a doubt. His whole career on the Eastern Shore smacks of New England, for his character was that of a stern Puritan, whether he adhered to the tenets of the established church or to those of the new sect.

It is not likely that one of Cotton's disposition, stern, dogmatic, with the spirit of compromise foreign to his nature, would tolerate a Puritan like Stone on his vestry, nor permit his daughter Verlinda to marry Stone if he, Cotton, were an Anglican.

The first formally organized vestry was in obedience to an order of the Court at James City as shown by the following:

"At a court holden in Accawmacke the 14th day of September, 1635.

"At this court Mr. Wm. Cotton, minister, presented an order of the court for James City, for the building of a parsonage ordered by the vestry and because there have here-

¹Va. Land Abstracts, Va. Mag. of Hist. and Biog., Vol. II, p. 95, et seq.

tofore been no formal vestry, nor vestrymen appointed, we have from this present day appointed to be vestrymen those whose names are underwritten:

William Cotton, Minister	William Andrews
Captain Thomas Graves	John Wilkins
Obedeyence Robins	Alex'r Mountjoy
John Howe	Edward Drew
William Stone	William Berriman
William Burdette	Stephen Charlton.

"And further we do order that the first meeting of the syd vestrymen shall be upon the feast day of St. Mychael the Arck Angell, being the 29th day of September, 1635."

In accordance with this order the vestry met, Mr. Charlton and Mr. Wilkins being absent. The order for the parsonage was duly considered and it was provided by the vestry that it should be constructed of wood "on the Glybe land by Christyde next, & that the syed house shall be forty foot longe & eighteen foot wyde, an nyne foot to the wall plates; and that there shall be a chimney at each end of the house, & upon each side of the chimneys a room, the one for a study, the other for a buttery; alsoe a partition neere the midst of the house with an entry and tow doors, the one to goe into the Kitchinge, the other into the Chamber."

As Mr. Cotton had not yet acquired his lands at the Horns, and was officiating at the "Magothy Bay Church" and the "Fishing Point Church," it is probable that the glebe lands at this time were near Old Plantation Creek in spite of the fact that the immediate site of the Magothy Bay Church was not owned by the Parish.

The early churchmen of the peninsula were quite strict, for on May 22, 1635, when the vestry held its second meeting, an absentee was fined 20 shillings for his delinquency. At this meeting a pulpit cloth, cushion and carpet were

ordered to be provided, and also a bier in case of emergency. In consequence of the great distance which some of the people lived from the church, the land of William Blous, south of Old Plantation, where William Benjamin resided, was designated as the burial ground for the inhabitants in that part of the county.

The minister's fee for delivering a funeral sermon was fixed at 100 pounds of tobacco, and in order to secure the services of the clergyman at funerals, it was provided that the vestry clerk must be notified and means of transportation supplied to the minister, in default of which a heavy fine was imposed.

The minister's salary was fixed by the court at so many pounds of corn and tobacco, payable annually, and proportioned among the tithables. Delinquents were required to contribute double their original share. Mr. Cotton was not a popular clergyman, and was continually forced to appeal to the court in order to collect his tithes, until, in 1638, the church-wardens were empowered to distrain upon the property of defaulters. In 1634, Henry Charlton, one of Cotton's flock and a member of a distinguished family, was ordered by the court to build himself a set of stocks and sit in them several Sabbaths in succession during divine service, for slandering the minister. In 1638, upon the complaint of Cotton, one John, for committing fornication, was ordered to establish a ferry on Old Plantation Creek, and others for the same offense were "set up by the heels in the stock." Such records illustrate the character of these early churchmen.

Cotton died in 1640, leaving a widow who consoled herself by marrying Thomas Burdett, son of the vestryman and a gentleman of no mean fortune. Let us hope that he was a

more peaceful and satisfactory consort than his predecessor. They later moved to Charles County, Maryland, with William Stone; and in 1658, Ann, for the second time a widow, was living at Nanjemie, with her daughter Verlinda Cotton, who married the Governor.

Cotton's successor was John Rozier, a popular and efficient rector. One of his parishioners referred to him in his will as "deare and respected friend," and John Holloway, a physician, bequeathed to him a Greek Testament. The new minister seems to have had no great difficulty in collecting his tithes and winning the support of the parishioners for the church. In 1643, William Burdett left by his will five pounds sterling to the lower parish for the purchase of a Communion Cup and Plate.

While we are uncertain about Cotton's inclinations, we have every reason to believe that Rozier was more or less of a non-conformist and more acceptable to the Puritans, who comprised so large an element in the population of the peninsula at this time.

We have seen that in 1642, the dissenters of Virginia had sent to England for pastors, who at first were permitted to spread their doctrines among the colonists, and it is possible that Rozier slipped into the ministry of Hungar's Parish, before steps were taken by the Assembly in 1643 to oust non-conformist preachers from the colony.¹ Mather and Winthrop both tell us that while the state silenced the dissenting ministers by Acts of Assembly and by proclamations of the intolerant Berkeley, yet they were enthusiastically received by the people, who, since their liberal pastors were forbidden to preach in the parish churches, held services in their homes.

¹Hening, Vol. I, p. 277.

The presence of large numbers of Puritans in Virginia was undoubtedly known throughout New England, and in 1639-40, when the Assembly made an allowance from the tithes, of ten pounds of tobacco per poll, to enable the minister to hire a vestry clerk and sexton, we are told that Nathaniel Eaton, first principal of Harvard College, became the incumbent of the new office on the Eastern Shore.¹

In 1639, Nathaniel Eaton, who had been master of the college, or school, at Cambridge, Massachusetts, was ousted from his office by the authorities. It seems that he and his wife made themselves most objectionable and that he had been guilty of certain irregularities for which he was convicted and censured by the General Court at Boston.² For other flagrant offenses, the church at Cambridge took a hand in the proceedings, but before it could deal with him the wily Eaton fled to Pascataquack, to which place he was pursued by the Governor and apprehended. Eaton had already placed his effects upon Captain Neale's Bark, bound for Virginia, and received permission from the Governor to go aboard the ship, with three guards, to get his belongings. In a most dexterous manner, he left two of the guards upon the shore, threw the other overboard, escaped to the ship in a small boat and set sail for Virginia. The bird having flown, his cage and other property was sold to satisfy creditors and soon afterwards he was excommunicated by the New England Church.³ The whole affair as related by Winthrop is very interesting.

¹Neill's *Va. Carolorum*, p. 407. *Colonial Churches*, Howard, p. 291. *New England Genealogical Register*, Vol. XL, p. 294.

²Winthrop's *Narrative*, Vol. II, p. 308. Quincey's *History of Harvard University*, Vol. I, pp. 13-14, 268, 451-462. Winthrop's *History of New England*, Vol. I, p. 317. Vol. II, p. 476.

³Winthrop's *Narrative*, Vol. II, pp. 312-313.

Eaton was about thirty years old when he left Cambridge. He seems to have left his termagant of a wife behind, for steps were taken in Cambridge to provide for her support, in spite of her unpopularity. Exactly when Eaton arrived in Accomac is not known, but soon after his flight from New England he appears as Parish Clerk, and assistant to Mr. Rozier in his ministerial duties. His career in Northampton was a checquered one and soon brought him into conflict with his superior. A board of arbitrators composed of Nathaniel Littleton, Obedience Robins, John Neale and John Gookin, was appointed to settle the dispute. On March 23, 1642-3, the arbitrators decided that Rozier should pay 600 pounds of tobacco to Eaton, and that the vestry should make good the payment to the minister. There is also record of a suit brought by John Cougan in January, 1646-7, against the estate of Nathaniel Eaton, who had left the County. In the former case, the disputatious Eaton seems to have had right on his side.

Winthrop tells us that after Eaton went to Virginia, he sent for his wife and children, who embarked in a vessel that was lost during the passage south, and Dr. Neill says that he later married the only daughter of Thomas Graves of Northampton, who had moved to Virginia from Dorchester, Massachusetts, and died leaving his daughter a fair patrimony.¹ It is also said by the former authority that Eaton became a drunken preacher while in Virginia. As to this, the records of Northampton are silent, and other than the fact that he became involved in numerous suits, little is known of his career there. The authorities are quite general, however, in the assertion that he fled from Virginia to Eng-

¹New England Genealogical Register, Vol. XL, p. 291. Colonial Churches, Howard, p. 291.

land in 1646, deserting his new wife, who, says Neill, was the Ann Eaton who later married Francis Doughty. The cause of his flight is not mentioned, but it is probable that the Massachusetts authorities made it too warm for him on this side of the Atlantic. In view of his character he could at best have been but an undesirable acquisition to Hungar's Parish. As to his subsequent career in England, nothing is known except what Cotton Mather tells us. Mather says that after being excommunicated by the church at Cambridge, he went to Virginia, then to England, where he lived privately until the restoration of King Charles II. "Then conforming to the ceremonies of the church of England, he was fixed at Biddiford, where he became (as *Apostata est Osor sui Ordinis*) a bitter persecutor of the Christians, that kept faithful to the way of worship, from which he was himself an apostate, until he who had cast so many into prison for conscience, was himself cast into prison for debt; where he did, at length, pay one debt, namely, that unto nature, by death."¹ For a full account of Eaton's career in Cambridge and the troubles which led to his dismissal from Harvard and excommunication from the church, all of which is most interesting, the reader must consult the authorities cited below.²

The author at first was seriously inclined to question the statement that Nathaniel Eaton of Hungar's Parish was the Nathaniel Eaton of Cambridge fame. The fact that Theophilus Eaton, afterwards Governor of New Haven, was the brother of the refugee, and that he was engaged in making settlements about Plymouth and Quinepiack, Connecti-

¹Cotton Mather's *Magnalia*, Vol. II, p. 8.

²Quincey's *History of Harvard University*, Vol. I, pp. 13, 14, 268, 451-462. Winthrop's *History of New England* and Winthrop's *Journal*, citations as given before.

cut, about the time of the latter's flight, seemed to indicate that Accomac (Plymouth) in Massachusetts, and Accomac in Virginia had been confounded.¹ It would have been most natural for Nathaniel Eaton to seek protection at the hands of his influential brother. Then again, another minister, William Cotton, married Ann Graves, whom he transported to the colony with himself.² It is possible that the two ministers have been confounded. The only Thomas Graves of the Eastern Shore of whom there is any record was a subscriber under the Second Charter of the Virginia Company, coming to the colony in 1608. Smith refers to him as an ancient planter, and recounts how he was captured by the Indians and released at the instance of Ensign Thomas Savage. This Thomas Graves represented Smyth's Hundred in the first Virginia Assembly, held in 1619,³ and later appears as a Burgess from Accomac in 1629,⁴ where he was a member of the first court in 1632 and of the vestry in 1635. It is not likely that this Thomas Graves was at one time a citizen of Dorchester. There may have been two persons of the name, for after much research the author feels assured that Nathaniel Eaton of Cambridge was but one of many New Englanders who migrated to the Eastern Shore between 1630 and 1640.⁵

During the ministry of Mr. Rozier, the County was not only renamed, but was divided into two parishes by Act of Assembly of March 18, 1642:⁶

¹Winthrop's History of New England, Vol. I, p. 317; Vol. II, p. 476.

²Va. Land Abstracts; see appendix.

³Colonial Register, Stanard, p. 52. Source: "A manuscript copy of the Journal of this session is in the Public Record Office, London, and has been frequently published."

⁴Hening, Vol. I, p. 147-149.

⁵See chapter on Origin of People.

⁶Hening, Vol. I, p. 249.

"Be it enacted and confirmed upon consideration had of the large extent of the County North'ton and the great inconvenience for the inhabitants to be all of the one parish that the said county shall be divided into two parishes, the bounds of one to be from the easternmost side of King's Creek towards the uttermost extent of land towards Smith's island including all the land between the Bay of Chesapeake and the seaboard side.

"And another parish, from the northward side of King's Creek to Nuswattocks including all the lands between the said Bay of Chesapeake and the seaboard side."

The origin of the name Hungar's has been undetermined. It has been said that a parish in Northamptonshire, England, bore a similar name, and as the name first appears on the Eastern Shore about the time the name of the County was changed to Northampton, the origin may thus be explained.

Soon after the division of the county and the two parishes, a church was erected for the upper parish. This building stood for some years, for on December 23, 1684, Major William Spencer gave to the church wardens of Hungar's Parish the land on Hungar's Creek, on which the "frame of a church" then stood, and one acre of land surrounding it, being a part of "Smith's Field." This church, like the Magothy Bay Church, seems to have been erected on land to which, for many years after the building of the church, no title was secured by the vestry.

Rozier was the minister of Hungar's Parish for about seven years. What became of him we do not know, but it is likely that the good man moved to Maryland, for the only recurrence of the name Rozier in the early colonial records of the various colonies is that of Colonel Benjamin Rozier, who married a step-daughter of Charles Calvert and became an officer under the Maryland government. As Charles Cal-

vert resided at one time in Northampton County, Colonel Benjamin Rozier was in all probability kin to the former minister of Hungar's Parish.¹

Rozier was succeeded by John Armourier, of whom we know practically nothing. The next minister was Thomas Palmer, who did much for the advancement of the church and never failed to present the wicked for the careful consideration of the stern though just magistrate, Colonel Robins. Palmer was succeeded by Thomas Higby, a clergyman of questionable character, for, in 1652, he was himself presented to the court for slandering the Colonel. Higby married Grace, the widow of John Wilkins, and died in 1662. His widow survived him twenty years. He was dismissed from his office probably as a result of his loose tongue, for at a Court of Vestry held in Northampton on June 16, 1662, Edmund Scarburgh, Thomas Johnson, Richard Vaughan, Ralph Barlow, Robert Parker, John Edwards, Richard Hill, John Ellis, William Taylor, Richard Smyth, Richard Tegg, vestrymen, and Mr. Thomas Teackle, minister, were present.² The same day, Benjamin Matthews and John Wise having been chosen church wardens, took the regular oath of office, which was administered in the name of "the keepers of the Liberty of England, by authority of Parliament."

In 1652, the upper parish of Northampton County was itself divided, at the instance of the royalists or Anglicans, who were little in favor with the people of the lower peninsula, and who themselves were intolerant of the liberal views which had crept into Hungar's Parish.³

¹English Colonies in America in the 17th Century, Osgood, Vol. II, p. 72.

²The name Teackle is also spelt Teakle and Teagle in the old records.

³Hening, Act of Assembly, Nov. 25, 1652. See chapter on Commonwealth.

"It is ordered by the authority aforesaid that the south side of Ocquahannock Creeke and so upwards be a peculiar parish, and called by the name of Ocquahannock Parish."¹ But the name Occahannock never came into general use, for the parish to the north of Occahannock Creek was called, from then on, Accomac Parish, and continued to be so called until it in turn was divided by law in 1762, when the lower parish which included Pungoteague was named St. George Parish. Accomac and St. George Parish were then divided "by a line to begin at the mouth of Parker's Creek, thence to run up the said Creek to the head of Rooty Branch, and thence by a direct line to be run to the head of the branch called Drummond's New Mill Branch, thence down the said Branch to the mouth of Hunting Creek."² From the above it will be seen that the limits of Accomac Parish, as established in 1652, corresponded exactly with those of Accomac County, formed in 1662. There is no doubt that the causes which led to the formation of the upper county entered into the creation of Accomac Parish and that the name of the Parish influenced the naming of the County.³

Many of the early parishioners of the Eastern Shore were godly and righteous men. Their wills, which teem with pious utterances, bespeak a God-fearing, sober people. Many of them did not wait until the hour of parting from this world was near at hand to provide material support for the church, for the parish property was largely contributed by the better class of the planters. The land known to this day as the Glebe land, situated on Church Neck, to which reference has been made in a preceding chapter, was left to

¹Hening, Vol. I, p. 374.

²Act of Assembly 1762.

³See chapter on Formation of Accomac County.

Hungar's Parish by Stephen Charlton, one of the first vestrymen. After some expressions, showing that he had just views of the Saviour, he divided his property by his will, equally between his wife and two daughters, Bridget and Elizabeth, and directed that his children should be placed under guardians until they were fourteen years old and be educated in a godly manner. Should Bridget, the elder, die without children, her share was to revert to the church for the support of a minister. Bridget married Mr. Foxcroft, a worthy man, and until his death a vestryman of the church. They both lived to a good old age, and dying childless, the father's will was complied with. The Glebe, consisting of fifteen or sixteen hundred acres of the best land in the county, remained in possession of the vestry for about two hundred years, when, as the result of a long-drawn-out suit maintained by the overseers of the poor, in which appeal after appeal was taken, the parish was robbed of the property on a technicality of the law. Bridget Charlton's sister Elizabeth, while at school on the Eastern Shore, and but twelve years of age, was persuaded by a Mr. Getterings to elope with him. Being unable to secure a license on that side of the bay, they crossed to the western shore, and by some artifice succeeded in evading the law and were married.¹ Elizabeth soon died, and Getterings sought to recover the Glebe lands for himself. This was the beginning of the suit. Colonel Scarborough, upon being appealed to as counsel for the vestry, prepared an address, in writing, which he submitted to the court, setting forth the iniquity of the conduct of Mr. Getterings and ably presenting the inherent right of man to dispose of his property according to his own will.

¹Meade's Old Churches, etc. It is not certain that the marriage occurred on the Western Shore. See Bruce's Social Life of Va. in the 17th Century, p. 233.

By the will of Richard Vaughan, proved before a court held at his son's house on Occahannock Creek, April 22, 1656, all of the testator's slaves were ordered to be freed at certain ages, and one thousand pounds of tobacco was bequeathed to the parish to start a fund for the building of a house "for God's worship."¹ Many such provisions are to be found in the wills of these early parishioners.

The Rev. Thomas Teackle was the first minister of the new Occahannock or Accomac Parish, and Mr. Francis Doughty succeeded to the two lower parishes. The latter gentleman was a son of a Bristol Alderman, and had been vicar of Sodbury, Gloucester, where he was arraigned before the High Court of Commission for contempt of his sacred majesty, having spoken of him in prayer as, "Charles, by common election and general consent, King of England." This was vile heresy in the eyes of a people still laboring under the delusion that Kings ruled by divine right, so Doughty was forced to move to America. He first settled in New England, but was disappointed in the religious freedom which he expected to find among the saints of Massachusetts, so moved on to Manhattan, where he became minister of the English Reformed Church. Doughty was very poor and through the influence of the famous Adrian Van der Donck, who had married his daughter, two collections were taken for his benefit, to which the Dutch as well as the English contributed. Soon, however, he became involved in difficulties with the Governor, was fined, imprisoned for several days, and finally moved to Flushing, where he was guaranteed a salary of six hundred guilders, by the people of Staten Island.² He did not remain long in

¹This is probably one of the first instances of manumission.

²Breeden Raedt, pp. 24, 25.

his new berth, for dissatisfied with their preacher, the people of Flushing discharged him in 1656, and he moved to Northampton, where his brother-in-law, William Stone, had lived.¹ Doughty took with him to Northampton his daughter, the widow Van der Donck, who later married Hugh O'Neal of Patuxent, Maryland.²

Doughty was a non-conformist, pure and simple, and the fact that he was employed by Hungar's Parish clearly shows the religious tendencies of the people of lower Northampton. It is difficult, however, to understand why the ruling class, composed of church of England men, allowed him to preach there. He certainly had the respect of the better class of planters, who were as a rule most intolerant of all "schismatical sects" as illustrated by their persecution of the Quakers. Yet there was a great distinction between Quakers and non-conformists, there being many of the latter class on the peninsula, and while the actual control of the parishes was in the hands of Anglicans, the influence and numerical strength of the liberal-minded churchmen were too great to be entirely disregarded, since they in large measure paid the tithes. The presence of the New England Puritans and the Reformed Churchmen of Manhattan and Holland had greatly liberalized established Episcopacy. These people were ever a peaceful, submissive, worthy element of the population, regarding themselves, in a measure, as guests in a foreign land, and by their very acquiescence in the support of the Anglican faith intruded their liberal views upon the ruling class more successfully than could have been accomplished by force. Nothing is more certain than the fact that

¹Doughty married Stone's sister while they both lived in Massachusetts.

²Neill's *English Colonization of America*, p. 237. Brodhead's *History of New York*, pp. 333, 367, 368, 411, 419, 472, 555, 615, 666.

there were no churches in the County at this time except those established by law, yet we find the "Reverend and very learned Mr. Samuel Drisius or Van Driesen, Minister of the Gospel," from Manhattan, another Reformed Churchman, preaching in Northampton in 1654, while visiting Virginia as a treaty Commissioner of the Dutch. It is possible, however, that Drisius was only permitted to preach in order that he might allay the fears of the inhabitants with respect to the reported combination of the Dutch and Indians for the purpose of massacring the Accomackians. Governor Bennett, a Puritan himself, was on the peninsula at the time, and his license to Drisius would have been law. Doughty was later succeeded in Flushing by Drisius, and now we find the latter preceding him in Hungar's Parish.¹ What a little world this was even in the seventeenth century. The facts above cited, however, only indicate how intimate was the connection between the Eastern Shore, New Netherlands and New England, at this time.

On June 8, 1657, Doughty issued the following notice which further illustrates the character of the man:

"To all Xtian (Christian) people to whome this present writinge shall come.

"Know yee that whereas there is a marriage to bee had and solemnized between me ffrancis Doughty of Northampton County, in Virginia & Ann Eaton of ye same County and yt the sd ffrancis Doughty maye by virtue of marriage have or expect to have a right or interest in her estate due disowne and discharge all right, to her estate, and to her children."²

¹For full facts as to Samuel Drisius, see Brodhead's History of New York. Annals of Albany, Munsell, Vol. IV, p. 71; Vol. VII, p. 93. O'Callaghan's History of New Netherlands, Vol. II, pp. 236-7.

²This was the widow of Nathaniel Eaton.

The fact that the good Doughty took to wife Ann Eaton, said to be the widow of the departed Nathaniel, is strong evidence of the fact that she was a second wife of the refugee and not the one who proved so repugnant to the authorities of Harvard and Cambridge. It is quite certain that the widower Doughty would not have assumed the rôle of Petruchio with a Katherine so fiery.¹

Ann Southey, the wife of Nathaniel Littleton of Nandua, and the mother of Colonel Southey Littleton, who inherited his father's estate, died in 1656. At the time of her death she resided on a plantation along Magothy Bay in Northampton County. In her will she requested:

"Mr. Francis Doughty, minister and preacher of ye word in ye Parish, to councell my children, not only in the management of their estates, and in civill behavior in ye world, but be a means to instruct them in the feare of God & service of the Almighty and Creator, and in ye true faith in Jesus Christ, into whose hands I commit in common, all our Soules when it pleaseth him to take them from us out of this sinful life to wch I say Amen and Amen."

Here indeed is a valuable testimonial of the respect in which Doughty was held, all the more trustworthy since it comes from the hand of one of the foremost women of the Eastern Shore. After leaving Hungar's Parish, Doughty was appointed to the ministry of Settingbourne Parish and among the records of Essex County there is the complaint of John Catlett and Humphrey Boothe to Governor Berkeley, that he was a non-conformist and that "he denied the supremacy of the King, contrary to the canons of the Church of England," and refused to allow them "to communicate in the blessed ordinance of the Lord's Supper."

¹Quincey's Hist. of Harvard Univ., Vol. I, pp. 13-14.

From this we see that he had not undergone a change of faith while in Northampton and continued in his unorthodox views. He is next found in Maryland, where he was met at Patuxent by the commissioners from Manhattan in 1659. He was at this time living with his daughter.¹

In March, 1661, it was enacted by the Assembly, in view of the great inconvenience of providing general laws to cover small matters of purely local interest, that henceforth the counties and parishes of the Colony should have the power to make their own by-laws.² This was a wise provision and enabled the County Courts and Vestries to provide for local necessity in a speedy and satisfactory manner. The privilege was soon abused, however, and led to much trouble in Northampton County as shown by the list of Grievances in 1676.

The fourth church on the peninsula was St. George's of Pungoteague, built between 1652 and 1660, or soon after the formation of Accomac Parish. The first rector of this church was the Rev. Thomas Teackle, whose name first appears in the records about 1652. Teackle either purchased or was given land on Cradock's Neck, where he lived upon his estate called "Cradock," as minister of St. George's for nearly forty years. He was an Anglican of the strictest order, an able preacher, a man of great culture and refinement and, judging from the scope of his very large and complete library, he must have been something of a student as well. In 1664, Major John Robins brought suit against Mary Powell for scandalous speeches against Mr. Teackle; and she was ordered to receive twenty lashes across her bare shoulders and was banished from the county. For many years the good man was a noted character in Accomac. His

¹Brodhead's Hist. of N. Y., p. 666.

²Hening, Vol. II, pp. 171-172.

church was irreverently though not irrelevantly styled "Ace of Clubs" church on account of its peculiar shape, there being three almost equal wings with the interior angles rounded. It is possible that the name was suggested to the Puritans of the lower peninsula by the character of the congregation, which was composed almost entirely of Anglicans. The people of Hungar's Parish resented the formation of Accomac Parish from the first, and the royalists were ever regarded by the lower classes as free and easy churchmen. This old church remained intact until pressed into service as a stable by Colonel Lockwood of the United States Army in 1861-5. The two side wings were then demolished and the interior generally altered. It was repaired some years after the war but unfortunately not restored to its original state. How strange that the conqueror should always feel obliged to destroy the temples of his enemy! There were unquestionably other buildings available for a stable.

The author has frequently heard that the first communion set of St. George's church was presented by the immigrant, John Wise, though there is no record to that effect.

Soon after Teackle's arrival in Accomac, Colonel Edmund Scarburgh charged him, in May, 1656, with being too familiar with Madam Scarburgh, and with trying to dispose of him by poison. The rector was immediately suspended from his office and demanded an investigation. On two different occasions the parties were summoned to appear before the justices, Teackle presenting himself with his witnesses both times. On neither occasion, however, did the fiery Scarburgh appear. Then Teackle appealed to the General Court at James City, but Scarburgh eluded the third appointment. Satisfied by such conduct on the accuser's part, as to their clergyman's innocence, his parish-

ioners petitioned the court to have him re-instated, which was promptly done. Thereupon, Scarborough withdrew the charge of undue intimacy between the minister and his wife, but persisted in the charge that Teackle had attempted to poison him. The records of this old suit are as interesting as they are voluminous.

When Governor Berkeley, always quick to detect irregularities in church affairs, and to guard against the insidious encroachments of the free thinkers, fled to the Eastern Shore in 1676, he discovered that Mr. Daniel Richardson, an unordained preacher, was ministering to the parishioners of Northampton. While the term unorthodox was applied to any divine who preached without orders, the vestry, no doubt, felt that their action in retaining Mr. Richardson required an explanation, and it is not hard to read, between the lines, that this gentleman did not measure up to Berkeley's standard of Episcopacy:

"Whereas Mr. Daniel Richardson o'r late minister, for want of orders, was found not orthodox, and therefore hired him from yeare to yeare (to supply the place of minister so far as the Lawes of England and this Country could make him capable) until wee would supply ourselves with an able, orthodox divine. And forasmuch as Mr. Isaac Key did present, whom we find very able and worthy wee of the vestry & subscribers hereof doe certifie unto your Honor that at a Vestry the 8th Day of May last past did discharge the said Richardson from his said ministry as may fully appear by an order of the said vestry there made, And have since made choyce of the said Mr. Isaac Key for o'r minister who hath accepted, and most willingly promised to serve, Wherefore wee hereby request yor Honor's confirmacon by Inducting him into this o'r parish as minister, And yor supplycants shall ever pray.

John Stringer
William Kendall
William Waters

John Robins
James Pigot."

To which Governor Berkeley assents in these words:

"This worthy learned Gent. Mr. Key is soe well knowne to me, that I am most certaine you will be happy in havinge soe deservinge a person to officiate to you & advise and comfort you in all yor spirituall wants and necessities, and I do hereby require that he be immediately Inducted.

"WILLIAM BERKELEY.

"Nov. 18, 1676."

The ousted Richardson moved to Maryland, and was living there in Somerset County in 1680. Mr. Key assumed the ministry of the two parishes in Northampton. Teackle was still the minister of St. George's in 1689, for in that year he received 2,000 pounds of tobacco from the vestry for arrears in salary.

During the incumbency of Teackle and Key, the spiritual welfare of the Eastern Shore was committed to Anglicans of the strictest order, and we may rest assured that dissenters and non-conformists found in them relentless opponents. Much was done by these two clergymen to restore the observance of the established forms of worship and to counteract the effects of years of what they deemed a religious laxity verging upon license.

By 1684, as we have seen, the church erected on Smith's Field was but a frame, a skeleton of a church, and the parish of Nassawattocks was practically defunct; the people of the upper peninsula attending St. George's at Pungoteague, while those of the lower peninsula attended the Magothy Bay Church. Successive churches were erected on the site of the latter, exactly how many is not known. They were poor structures, however, and of very temporary character

with the exception of the last, which was in use as late as the nineteenth century. In 1826, it was pronounced unsafe, torn down, and the old materials sold at auction. Its foundations, near the gate of Arlington, were to be seen until recent years, but the plowshare of modern progress has passed over the old ruin, casting the dust of its mouldering stones to the winds.

One of the frame structures on this site was used by the people of Northampton until about 1690. The following year a petition was made to the Assembly to unite the two parishes of Northampton, on the ground that they were unable, singly or combined, to give such support as would secure an able minister and build a good church. The petition having been granted, Nassawattocks Parish was merged into Hungar's Parish:¹

"Att a council held att James City, Apr. the 21st, 1691.
Present

"The Rt. Hono'ble Francis Nicholson, Esq., Lt. Gov. & Council. Major John Robins and Mr. Thomas Harman-son, Burgesses of the County of Northampton, on behalf of the County, by their petition setting forth that the said county is one of the smallest in the Colony, doth consist of a small number of tithables, and is divided into two parishes, by reason whereof the Inhabitants of both parishes are soe burdened that they are not able decently to maintain a minister in each parish and therefore prayed the said parishes might be joyned in one and goe by the name of Hungars Parish, not being desirous to infringe any gift given to Hungars parish, and more especially one by the last will of Stephen Charlton, which parishes soe joined will not only be satisfactory to the inhabitants but make them capable to build a decent church and maintain an able divine; On consideration thereof Itt is the opinion of

¹Act of Assembly.

this board and accordingly ordered that the whole county of Northampton be from hence-forth one parish and goe by the name of Hungars Parish, and that the same shall be no prejudice to the gift of the aforesaid Charlton to the said parish of Hungars and it is further ordered that the inhabitants of the sd parish shall meet at such time and place as the court of the said county shall appoint and make choice of a vestry according to law.

“Cop. vera, test. W. Edward, cl. cou.”

“Then in accordance with the appointment of the court, at a meeting of the inhabitants of the said county of Northampton, at the courthouse thereof the 22nd day of June, 1691, the following vestrymen were elected:

Major John Robins	Capt. Custis
Capt. Foxcroft	John Shepheard
Benj. Stratton	Preece Davis
Benjamin Nottingham	John Powell
Jacob Johnson	Thomas Eyre
John Stoakley	Michael Dickson.”

It was evidently soon after this step was taken that the new vestry met and provided for the erection of the present Hungar's Church. Surrounded and concealed by a body of sweet-scented pine woods, in the midst of a picturesque grove of Sycamores, about seven miles north of Eastville, stands this ancient house of worship, near the site of its rustic predecessor. This church as it now exists at the head of navigation on Hungar's Creek near Bridgetown, is one of the oldest churches in Virginia. The original edifice became untenable in 1850 and was repaired and slightly reduced in size that year. It is beautifully situated, and but little known outside of the Eastern Shore Counties.

The year after the consolidation of the Northampton parishes, Mr. John Monroe became the minister of Hungar's Church. He is referred to frequently in the convocations of the Williamsburg ministers of the time.

The plate presented to Old Hungar's Church by Governor Nicholson is now in use in Christ Church, Eastville. It is inscribed:

Ex dono Francis Nicholson.

The communion set used in the latter church was presented to Hungar's Church by John Custis, of Williamsburg and Arlington, in 1741.

Active in the affairs of the Episcopal Church on the Eastern Shore in the seventeenth century were members of the Scarborough, Robins, Wise, Littleton, Bowman, West, Cropper, Charlton, Foxcroft, Severn, Eyre, Custis, Yeardley, Bayly, Kendall, Parker, Upshur, Vaughan, Bowdoin, Nottingham, Savage, Joynes, Poulson, Spady, Browne, Satchell and many other ancient families, the descendants of which are scattered broadcast over the United States until but few remain to worship in the temples of their fathers.

On many a time-stained monument, the history of these early Episcopalians may still be read, for it was a custom among Virginians of the seventeenth century, and even at a later time, to bury their dead near the home of the deceased and frequently in the immediate close of the dwelling. Ancient tombstones peep from behind their shrouds of honeysuckle, or from among a tangle of rose bushes, growing in wild luxuriance and sending forth a delicious fragrance, a sweet invitation to the casual passer-by to pause and ponder upon the history of the past. And as one lingers in such deserted spots and scans these memorials of departed spirits, the venerable relics testify to an age of romantic interest upon this balmy peninsula. Sweet voices of the past, we pause and harken to your words:

I

WARWICK, OR "QUINBY'S FARM"

In Northampton County.
In memory of Arthur Upshur
born in ye County of Essex in ye
Kingdom of England who died
January 26, 1709 in ye 85th year
of his age.

In memory of Mary ye
Wife of Arthur Upshur
born in ye County of Warwick
in ye Kingdom of England
who died July ye 3d 1703
in ye 85th year of her age.

II

ARLINGTON

(Arms)

Here lies the Body of
John Custis, Esq., one of the
Councill and Major Generall of
Virginia who departed this life ye
29th day of January 1696 aged 66 years.
And by his side a son and daughter
Of his Grandson John Custis whom
He had by the daughter of
Daniel Parke, Esq., Capt. Generall
And Chief Governor of the Leeward
Islands.
Vistus Post Funera.

III

WILSONIA NECK

Here lyeth ye body of John Custis, Esq., one of the councill of Virginia colonel, and commander in chief of the Militia on the Eastern Shore of this colony. He was the son of Hon. John Custis of Arlington, and departed this life 26th of January, 1713, and in the sixtieth year of his age. His first wife was Margaret, ye daughter of Mr. John Michael, by whom he had seven sons and two daughters, who with three of their sons lies near him. His second wife was Sarah, the daughter of Colonel Southy Littleton, and widow of Mr. Adam Michael, who survives him, but hopes to be buried by him when she dies, as was his desire. Which accordingly now she is, and departed this life the 18th day of April, Anno. Domino, 1720, and in the fifty first year of her age.

IV

"POULSON PLACE"

(At Onancock)

Coll. Tully Robinson
late of Accomack Co., Va. who was
born August 31st, 1658, and
departed November 12, 1723,
aged 65 years and twenty
days.

A gentleman honourable, an
Ornament to all places. He
was loyal to his prince,
Unshaken to his friend, and
a true believer in the Church
of England.

The remains of the Yeardley tombs are now all but imperceptible in the grounds of the Nottingham home in Northampton, and at Bowman's Folly, Clifton, Mount Custis, Brownsville, and many other family seats of Accomac and Northampton are to be found those of the Croppers, Wises, Baylys, Upshurs, and other prominent and ancient families.

And now, having followed Episcopacy to the end of the seventeenth century, let us go back and view the humble origin of Presbyterianism in America, with its first roots on the remote and secluded shores of Accomac.

The father of the Presbyterian Church in America was Francis Makemie, of Ireland and Accomac. He was born near Rathmelton, County Donegal, Ireland, during the seventeenth century, but the exact date of the event is unknown. The place where he was educated is also involved in uncertainty, but he is thought to have attended one of the Scotch universities. During the year 1680, Judge William Stevens, who was a member of Lord Baltimore's council, is said to have written to the Irish Presbytery of Leggan, urging that ministers be sent to Maryland and Virginia. The year following, Makemie was licensed to come, but went first to Barbadoes, where he preached. About the year 1684, he arrived in Somerset County, Maryland, on the Eastern Shore, and here at Rehoboth, it is claimed, established the first regular Presbyterian Church in this country. Later on, Makemie moved down the peninsula into Accomac County, and settled at Onancock, which place had been established under the law of 1680 for the promotion of town building. At Onancock, he married Naomi Anderson, the daughter of William Anderson, a wealthy merchant. Through his marriage, Makemie acquired property, and was engaged

himself in trade with the West Indies, a trade which was actively carried on at that period between those Islands and the Eastern Shore. Makemie was upon one occasion arrested by ministers of the established church for preaching without a license, and carried to Williamsburg, where he pleaded his own case before the Governor and Burgesses. This he did so successfully that the Governor licensed his dwelling in Onancock as a place of worship, and gave him, much to the displeasure of the Episcopal clergy, the general right to preach anywhere in the colony. It was not long before Makemie had won a substantial following from the ranks of the Episcopalians, and we may rest assured that the good Teackle viewed the desertions of his parishioners with the utmost impatience and alarm. The established clergy, however, were unable to uproot the new faith from the soil of Accomac and Northampton; and so powerful were the arguments of Makemie that the Act of Toleration, passed April 16, 1699, was directly attributed to the influence of this great divine.

During the year 1707 while passing through New York, en route to Boston, Makemie again became involved in trouble for the offense of preaching without a license, and was imprisoned for two months, but was acquitted at his trial. He published a "Narrative" of the affair which is to be found in Force's Collection of Historical Tracts. Governor Cornbury, who had him arrested, does not appear to have entertained a high regard for the parson, for he wrote in a letter to the Lords of Trade that Makemie was "a preacher, a doctor of physic, a merchant, an attorney, a counsellor at law, and, what is worst of all, a disturber of governments."¹

¹Note—Among the published writings of Makemie were: "Truths in a New Light," "Letter to Lord Cornbury," and "A Plain and Friendly

Makemie is reported to have been a deeply pious man, and a shrewd trader as well. He possessed an excellent Law Library, and in addition was distinguished for what a modern lawyer terms "the proper spirit of litigation." His will is recorded in the County Court of Accomac, as he died in that County during the summer of 1708. A spot on the banks of Holston Creek, near Jenkins' Bridge in Accomac County, is pointed out as the place where he was buried. No stone marks his burial place and the exact locality is a matter of conjecture. A most interesting book, concerning the old Scotch-Irish preacher, was published a few years ago by the Rev. L. P. Bowen. It is entitled "The Days of Makemie," and unites the charms of romance with the carefully compiled knowledge of a painstaking and accurate historian. It is a valuable contribution to the early history of the sea-girt peninsula, about which Gath has written:

"And when we thread in quaint intrigue
Onancock Creek and Pungoteague,
The world and wars behind us stop.
On God's frontiers we seem to be
As at Rehoboth wharf we drop,
And see the kirk of Makemie;
The first he was to teach the creed,
The rugged Scotch will ne'er revoke;
His slaves he made to work and read,
No powers Episcopal to heed,
That held the glebes on Pocomoke."

Perswasive to the Inhabitants of Virginia and Maryland." The reprint of the last named writing is to be found in Volume IV of The Virginia Magazine of History and Biography. Every student of the early history of Virginia, and of the Eastern Shore in particular, should read this remarkable paper, for being written with a knowledge acquired by residence on the peninsula, it gives a valuable insight into the times in which the famous author lived, and the conditions which influenced his arguments.

It is stated, upon competent authority, that there is but one volume of this work extant—that in the Library of Harvard University, from which the above reprint was copied. Two letters of Makemie, written to Increase Mather in 1684 and 1685, are in the possession of the Massachusetts Historical Society.

Notes: For much of the foregoing sketch the author is indebted to the late Barton Haxall Wise. Some years ago Mr. Wise presented to the Virginia Historical Society a transcript of the Makemie Manuscript, which had come into his possession.

For a full sketch of Mackemie, see Foote's Sketches.

XV

THE NEGRO AND THE SLAVE

It is a generally accepted fact that the Dutch were responsible for the introduction of slaves into Virginia in 1619. It was several years later before the first negro appeared on the Eastern Shore, and a decade had elapsed before slaves were brought to the peninsula. The first negroes in Accomac of whom we have any knowledge, were two free citizens of color, Anthony Johnson and his wife Mary. They were so highly thought of by the white inhabitants of the county, that, when, in 1652, they had the "misfortune to lose by fire after great service & etc.," after dwelling as law-abiding citizens in the county for over thirty years, they were exempted from paying taxes. While no negroes are mentioned in the census of 1623, the Johnsons must have lived there at the time. The descendants of these free negroes were for many years respected property owners and owned in addition to much land, a number of slaves. In 1654, 100 acres of land lying along Pungoteague Creek, were granted to Richard Johnson, the son of Anthony, the former being a carpenter by trade and a skilled mechanic. This tract was contiguous to the estate of John Johnson, also a negro, and that of Anthony Johnson. Later, a dispute arose as to the title to the land and we find the following entry: "Whereas John Johnson, Negro, hath this day made complaint in Court that John Johnson, Sr., detaineth a patent to 450 acres, which John Johnson, Jr., claims, John

Johnson, Sr., is ordered to appear in Court.”¹ Anthony Johnson entered suit soon after this for the purpose of recovering his negro servant, who had been appropriated by Robert Parker.²

Leases for ninety-nine years to negroes were not uncommon in the seventeenth century. John Parker of Accomac leased to Philip Morgan, a negro, 200 acres about 1680.³

The first slaves of which mention is made in the old records, were the two West Indian negroes, named Sampso and Domingo, servants of the Rev. William Cotton, who came to the peninsula about 1632. Four years later, John Wilkins, Gent., brought one to Accomac with twenty-five white servants.

The first sale of a slave occurred in 1640, when Nathaniel Littleton sold one to Garrett Andrews for 1,200 pounds of tobacco. Littleton and his father-in-law, Mr. Southey, owned thirteen slaves at this time.

Prior to 1656, there were but few slaves on the Eastern Shore; in fact there were but few in the Colony. The census of 1624-5, shows but 22 Africans. In 1649, there were not over 300, in spite of the fact that a company had been organized at great expense eighteen years before for carrying on the slave traffic; and during the year 1649 but seventeen negroes were imported into the Colony, a large majority, by one planter in Gloucester County. Between 1649 and 1659, the importation of slaves was very light, the greatest number imported in one body being the thirty negroes bought by Colonel Scarborough in Manhattan for his daughters, Matilda and Tabitha.

¹Northampton County Records, Vol. 1651-1654, p. 200.

²Accomac County Records, Vol. 1663-1666, p. 54, and 1682-97, p. 160.

³Accomac County Records, Vol. 1676-90, p. 185.

The slaves on the Eastern Shore in the seventeenth century were well taken care of and kindly treated. They were used almost exclusively as domestic servants, for the day of working great bands of negroes in the fields had not yet arrived. In 1647, Francis Pott had two negroes bound to his service for a term of years and obligated himself to furnish them sufficient meat, drink, apparel and comfortable lodging and to use his best efforts to bring them up in the fear of God and in the knowledge of the Saviour. These little slaves were bought from Immanuel Driggs, a free negro servant.

The slaves were not allowed to have any business dealings with the whites for fear that they would be taken advantage of and that they would be encouraged to steal the property of their masters. Hence we find, in 1643, upon the request of William Andrews, the court ordering that no man should "truck nor trade" with his negro John, and again in 1654 upon the complaint of Captain Francis Pott, people were forbidden to trade with his negroes.

Many of the masters taught their slaves to read and write and the custom of instructing them in the Bible and making them attend church was general. In his will, dated 1645, Mr. Grace Vaughan of Occahannock, actually provided for the manumission of his slaves at suitable ages and left them each a tract of land.¹ This is probably one of the first instances of manumission. The inventories of the estate of William Burdett and Major Peter Walker, dated 1644 and 1655, respectively, included several negroes bound for short terms of servitude, showing that they were to be freed.

By the end of the century, there were many free negroes on the peninsula who not only owned land, but could read

¹Will proven April 22nd, 1656. Northampton County Records.

and write and were allowed to vote.¹ They do not seem to have been very thrifty as a rule, though there were striking exceptions, then as now. An instance of a negro surety is to be found in the records of Northampton.² Most of the free negroes in the county, like the surviving Indians, became a charge upon the whites in their old age and such failure on their part to provide for the winter of life is striking evidence of their lack of thrift. It was claimed by the people of Northampton that free negroes were undesirable, because they commonly became receivers of goods stolen either by the slaves or the white servants.³

The value of slaves on the Eastern Shore at this time may be arrived at from the fact that, when the master of the "Society," a Bristol ship, which went ashore off the coast of Accomac, came to reward the persons who had assisted him in landing the negroes he had on board, he paid James Lamont thirty pounds sterling in the form of a boy and a girl, and this price very nearly corresponds with that paid by Littleton to Andrews at the first sale, before mentioned.⁴

In the list of tithables for Northampton in 1666, the names of 52 negroes appear. Allowing Accomac County an equal number, and applying the same ratio of tithables to souls, as in the case of the whites, there must have been upwards of 300 negroes on the peninsula at that time, or about one to every ten white persons. A great increase in the number of blacks began about 1690.

The county records indicate that Indian slaves were owned by Eastern Shoremen, but they were no doubt half-breeds with the negro blood largely preponderant.

¹Northampton County Records, Vol. 1689-98, p. 250.

²Northampton County Records, Vol. 1689-98, p. 58.

³Northampton County Records, Vol. 1689-98, p. 463.

⁴Calendar of Virginia State Papers, Vol. I, p. 30 (Bruce).

XVI

TRADE. COMMERCE. INDUSTRIES

The houses on the Eastern Shore with a few exceptions, such as Arlington and Bowman's Folly, have never been as spacious and as pretentious as those in other parts of the state. The smallness of some of the houses inhabited by the wealthiest citizens is amazing. For instance, the house of Southey Littleton of Accomac contained a parlor, a porch chamber, a hall chamber, a hall, two garrets, a little room over the kitchen, the kitchen, the dairy room; making in all but a small house.¹ The residence of Argoll Yeardley, of Northampton, was equally small, containing a hall, a hall chamber, a parlor, two small chambers next to the parlor, a kitchen and a dairy, both of the latter probably detached.² These houses, no doubt, were typical of the time. Most of the house-building seems to have been done by the ship-carpenters and no doubt the structures had a decidedly nautical cast about them. There are to-day many old houses on the Eastern Shore which resemble the pictures of Noah's Ark, and give plentiful evidence of the character of the builders.

There being no stone, and but little clay out of which to make bricks, the people of the peninsula were forced to content themselves with the abundant supply of pine at hand for building purposes. Even tombstones had to be imported

¹Accomac County Records, Vol. 1676-90, p. 293.

²Northampton County Records, Vol. 1654-55, p. 117.

from England or the Western Shore. Simple frame dwellings sufficed to house these primitive country people in a tempered clime, where the land afforded every inducement to out-door occupation, and the early Eastern Shoremen should not be judged by the character of their dwellings. Their energies were not directed to house-building, which fact in no wise diminished their happiness. With vessels coming from the West Indies, bringing goodly supplies of Jamaica Rum, with excellent peach brandy; with salt water creeks about them abounding in the finest terrapin, crabs, clams, and oysters in the world, the Eastern Shoremen recked little of the outside world, and were a contented, happy people. Despite the mild climate and other conditions which conduced to *laissez-faire*, the people were yet more thrifty, shrewd and progressive than the people in other sections of the colony, for the slaves were never so numerous as to deprive the peninsula of a class of hardy yeomen.¹

Bricks were unquestionably made on the peninsula in the seventeenth century, but only in small quantities. James Ewell of Pungoteague, contracted to burn thirty thousand for a new courthouse in 1677, and it appears that brick-making was his regular employment. In April, of the same year, the Ketch, Grocer's Adventure, of Hull, England, arrived at Chesconessex, "having a great many bricks to unload," as we are informed by the records, and this is one of the few instances in which there is fairly trustworthy proof of the importation of brick into the Colony. It is even possible in this case that the bricks were transported

¹Life of Henry A. Wise, Barton Haxall Wise.

to the peninsula from another part of Virginia, where the ship had previously touched.¹

In the early days, travel was exclusively on foot or in canoes, as the first horse did not appear until about 1642. Of course there were no roads until a later period. The hard-beaten paths through the shady pine woods and along the shores of the creeks, very much as they are to-day, comprised the sole overland thoroughfares. About 1646, when horses were beginning to appear in large numbers, bridges were constructed across the creeks, near the headwaters of navigation. Prior to that time, crude scows ferried the pedestrian on his way. A ferry is mentioned in 1634. In 1638, Mr. Symmonds, first surveyor, was mentioned.

During Scarburgh's term of office as County Surveyor, much attention was paid to wharves and roads, and all at private expense. In January, 1657, the first order was entered for the construction of public roads, and William Melling was appointed general surveyor of highways for Northampton, "according to the laws of England." From that time on, various orders were issued and assessments levied for county or public roads, which, in general, followed the routes of the present bay-side and sea-side thoroughfares.² Bridges were built across the Pocomoke River before 1680.³

Intercommunication between the various parts of the peninsula was carried on largely by means of boats, the smaller variety being patterned after the native canoe. The white

¹Accomac County Records, Vol. 1678-82, pp. 65, 66. Bruce's Institutional History of Va., etc., Vol. I, p. 538.

²Accomack County Records, Orders of April 21st, 1663. Northampton County Records, Orders of March 23, 1663.

³Proceedings of Council of Maryland, 1647-1680.

men soon learned to build these little craft out of the excellent lumber which the peninsula afforded and supplemented the Indian paddle with a spread of canvas. The present-day "Kun-ner," as it is pronounced by the Eastern Shoremen, sharp at both ends, low in the water, of extremely light draft and rakish rig, is but an early development of the Indian canoe, upon which the settlers depended so largely for transportation. The boat, so extensively employed now and called the "dead-rise bateau," is a type of a later period. The "bug-eye" or freight craft, peculiar to the Eastern Shore of Virginia and Maryland, is after all but an immense canoe, decked over and schooner rigged. As every early settler was forced to "paddle his own canoe," he became an adept sailor. Knowledge of the tides, the signs of weather, and things nautical, became matters of second nature with him, for those who dwelt farthest from the coast were at most but a short walk from the nearest creek.

One of the first vessels of Accomack was owned by William Burdett and Daniel Cugley in 1634, and employed in the Indian trade and in freighting tobacco. In 1645, the "Blessings of Virginia" is mentioned as having brought goods from Holland. In January, 1652, Colonel Scarburgh, who was preparing to leave the county indefinitely, sold to William Bunton of Boston, Massachusetts, a barque of 20 tons burthen named the "Deliverance" for 50 pounds sterling, another one named the "May Flower" with all her sails and rigging for 120 pounds short,¹ "a Galiot by the name of King David with all things belonging to her for 180 pounds sterling," and a small shallop for 20 pounds sterling. We have seen that he owned numerous other vessels, among which were the "Seahorse," the "Hobby

¹Was this the Mayflower of Plymouth fame?

Horse," the "Ann Clear" and the ship "Artillery," all ocean-going vessels. It is doubtful if any other citizen in Virginia and in fact in any of the colonies owned as many vessels at one time in the seventeenth century. Seven large merchant vessels engaged in trading along the coast, to the West Indies and to Holland, speak well for the enterprise of the many-sided Colonel.

As early as 1640, the difficulty of securing transportation led many of the larger planters to unite in building freight craft in which to export their tobacco. Therefore, we find Scarburgh, Samuel Bayly, John Rice, Stephen Charlton and other wealthy planters purchasing interests in a large vessel that year.¹

In 1661, the Assembly subsidized ship-building by offering to any one who should build a vessel of any burthen whatsoever, decked and fitted for sea, fifty pounds of tobacco for every ton burthen.²

On the first day of March, 1641, the first mill was contracted for between Obedience Robins and John Wilkins on the one part and Anthony Lenny, Millwright, of the second part. The price for the wind-mill was to be 220 pounds sterling and 20 barrels of corn; and Lenny was to be furnished with all necessary iron-work and shingles and to receive 100 pounds sterling in advance. Wheat and flour on the Eastern Shore were first mentioned in June, 1646, in a bill of Captain Wormeley's.

The first merchant trader on the Eastern Shore seems to have been William Clayborne, who, as early as 1630-1, employed his good ship *Africa*, a vessel of considerable size, in trade between his depots in Accomac, on Kent Island,

¹Accomac County Records, 1632-1640, p. 22, Va. State Library.

²Hening, I, p. 122.

and the Susquehanna River, buying up beaver skins from the Indians of the latter place. His trade was not restricted to Chesapeake Bay and the Susquehanna, however, for John Winthrop, Jr., in a letter to his father, dated April 30, 1631, mentions that a contract had been made with Captain Clayborne, then in London, to bring grain to Boston from Virginia. "The ship that bringeth it wch is the Africa whereof Capt. Claybourne is commander. He and the merchants that set him out offer us to bring what corne we will for fish."¹ In June, 1646, Clayborne's business affairs with George Fletcher, a London merchant, which had become much confused during the Kent Island troubles, were finally adjusted.

The following is a statement of Clayborne's claim:

"Disbursed by the account 12,000 lbs. tobacco for trade of Susquehanna & for Isle of Kent in making peace, taking possession of it, fortifying & maintaining it, of which Mr. Fletcher's letter engages him to bear his share."

The arbitrators, to whom the dispute was referred, were Richard Bennett, afterward Governor of Virginia, and Peter Knight of Warrosquack. James Fletcher, of Eltham, County Kent, England, was attorney for his brother George, the merchant.

The records show that much trade was carried on between Accomack and New England in 1634 and in October, 1638, two Accomackians, namely, Nicholas White and one Barnaby, made voyages to that coast in their own vessels. In 1645, the "Water Duck," of Rotterdam, a large trading vessel, touched at Accomack, and Stephen Charlton bought two pipes of wine from the Master, besides beds, Holland sheets,

¹Mass. Hist. Soc. Collect., Vol. VIII, p. 31. The fish were Codfish.

etc., etc. For the wine he paid 22 pounds sterling in tobacco at 3 pence per pound. This fact not only establishes the relative values of tobacco and sterling money but also the value of wine at that time.

Well before the middle of the century, Scarburgh, Clayborne and others had established trade along the Delaware, the Susquehanna, with Manhattan, the West Indies, Holland and New England. There is much evidence that Scarburgh's ships had visited points farther up the coast than Boston, for various invoices show him to have been the owner of large numbers of moose skins at one time or another. These skins were used by him in the manufacture of shoes. We have seen how at one time he was in partnership with General Gibbons of Boston in the business of freighting by sea with the ship "Artillery," and how upon the return of the former to Northampton he filed complaints against the Bostonian, requiring an accounting of him. The following is the text of the letter which Gibbons wrote Scarburgh upon this occasion, and is interesting because it establishes the relation between these two distinguished men:

"Boston the 9th of ye fifth moneth 1654.

"Sir—I hearinge of yr arrivall, though I heare you are offended with mee yet at this distance I crave Libertye to kis yor hand & desire god to take possession of yr heart & bid you a welcome to gether: Sr I shall saye nothings for the present But about Strangridge who spitts fowlely & unjustlye agst mee, as you can testife, For you made upp our Accotts by our consente and subscribed it. And he owed mee neare Two hundred ponde and would make you paye agayne, what I paid him for you; Sr good ice not very plentifull here. I say no more, but am

"Yor friend (though poor),

"EDWARD GIBBONS."

Poor old Gibbons! He too had become entangled with the Colonel. A very quaint letter is this from the Captain who led the expedition from Boston against d'Aunay at Port Royal, in the interest of La Tour.¹ General Gibbons was at one time offered a high office in the Government of Maryland by Baltimore, and there is much evidence that he was in and about the Chesapeake on numerous occasions.²

Large numbers of Dutch merchants resided on the Eastern Shore, or visited it at frequent intervals about this time. Entered in the records of Northampton County is a power of attorney from Jacob Derrickson and Abram Johnson, of Holland, to John Johnson, to serve as their factor both in Maryland and on the Eastern Shore. There is also an agreement between the Master of the *Farewell*, from Amsterdam, on the one part, and John Johnson and John Makule, both of Graft, of the other part, that the vessel then (1652) lying at Accomac should go to Holland to load.

So extensive was the Dutch trade that even the passage of the stringent Navigation Act, in 1666, did not succeed in destroying it. A temporary loss only, was sustained, for the people and the merchants soon resorted to illicit trading and smuggling was prevalent for the remainder of the century. The English Government had previously (in 1650 and 1651) endeavored to restrain all trade between the colonies and foreign countries, and against this the Dutch had remonstrated in vain. This restraint was one of the causes which, as we have seen, led to the first Dutch war. When Virginia surrendered to the Commissioners of Parliament, it was stipulated that she should have the full enjoyment of a free trade with other countries; and the mer-

¹Osgood's *English Colonies in 17th Cent.* Vol. I, pp. 411-412. Hazard's *Historical Collect.* Vol. I, p. 499.

²*English Colonization of Am. in 17th Cent.*, p. 284.

chants of the peninsula complained bitterly against the acts of Parliament by which it was sought to regulate commerce. The case of Walter Chiles which arose at this time has been referred to in a previous chapter. The Navigation Act, designed to protect English manufacturers and merchants by prohibiting foreign trading with the colonies, not only greatly inconvenienced and worked a hardship upon the people of the Eastern Shore, but, had it been observed by them, would have caused their utter ruin financially. They had grown too dependent upon the great trade which they had built up to stand by and see it destroyed by such selfish laws as Parliament chose to enact and the new government which had at first had many supporters in the ranks of the Puritans and Dutch on the peninsula, lost greatly in popularity. Smuggling grew to be looked upon as a necessity, and every influence was present to encourage and support the practice. The people felt that they were not half as culpable as Parliament and looked upon smuggling as a measure of self-protection. The islands of the seaside were well adapted to the illicit trade which soon sprang up and which was carried on almost as openly as lawful commerce had been conducted before the Parliamentary measures came into effect. The hardy 'longshoremen, at home on the sea, were experts in the "island trade," as it came to be known, and no magistrate nor revenue officer might hope to outwit them. The nature of the coast was such that it would have required a whole British fleet to break the practice up.

As soon as the Dutch vessels had ceased to arrive in the Colony not only did the price of goods increase, but ship owners raised their freight rates. In a short period, the cost of transportation had doubled, while the tobacco staple brought only one-third of the price it had commanded before the

passage of the Navigation Act. What steps the citizens of Northampton and the Dutch merchants took to obviate such serious results, before the illicit seaside trade was well established, have been seen in the chapter on the Commonwealth and the Dutch War.

In the meantime, an act which at first had been one of pure courtesy, had come, through long custom, to be looked upon by the Governor as a matter of right or law. From about the middle of the century it had been the practice of all ship captains, touching at Accomack, to leave with the revenue collector a present of provisions or wine for the Governor, until the contribution became fixed as a charge, amounting to about twenty shillings per ship. In 1667, Berkeley was forced to remind his collector, Colonel Scarborough, that "the yearly presentations of wine," due from the vessels which had touched at ports on the peninsula, had not been received by him. This extra tariff was never looked upon with favor by the independent merchants of the Eastern Shore, and no doubt the collector himself had done much to discourage the practice by appropriating the presentation with the knowledge of the donors. Thus, they had come to regard the extra burden as more in the nature of Graft than Tariff. The distinction is interesting.

So prosperous had some of the English merchants in the colony become by the latter part of the century, that, an English wit was led to write, "From being wool hoppers and of meaner employment in England, they have in Virginia become great merchants and attained the most eminent advancement the country affords."¹ And such was the case on the Eastern Shore. English merchants had been settled there since 1640, some of them being men of the highest

¹Force's Collection of Historical Tracts, Vol. III.

standing in the community, as for instance, George Fletcher, the associate of Clayborne in opening up the trade of the upper Chesapeake, and a number of years later, Thomas Wilbourne of York, and Francis Lee of London.

The first mercantile house on the peninsula was that of William Douglas & Company, existing in 1640. This concern drew the first Bill of Exchange mentioned in the records, on a bank in Amsterdam, Holland.

While the British and Dutch Merchants on the Eastern Shore were well received, prosperous, and in turn fair in their commercial intercourse with the people, they had their troubles and at times lost heavily. In 1688, a petition was brought before the Privy Council, in England, in which it was affirmed that the estate of Edmund Scarburgh was indebted to the petitioners to an extent exceeding 700 pounds sterling. The consideration was large quantities of goods shipped from time to time to Scarburgh's plantation, which still remained unpaid for. This sum amounted in our modern currency perhaps to \$17,000.00.¹

The largest lease of land recorded is that of 3,000 acres called "Occahannock," by Colonel Scarburgh in 1652 to William Bunton, of Boston, for fourteen years or until his son Edmund should come of age, the rental for the whole period being about 1,200 pounds sterling. In 1642, Scarburgh bought 500 acres of this land from John Neale for 10 pounds sterling.

In 1650, 3,000 weight of sassafras root was shipped to England and sold for 20 shillings per hundredweight. A large quantity of scrap pewter and brass was also shipped. In 1652, seventy-two moose skins were sold by Scarburgh to an English merchant at 10 shillings each.

¹Privy Council to Governor Berkeley, British State Papers, Colonial. Bruce's Economic Hist. of Va. in 17th Cent.

Until the latter part of the century, sterling money was used but rarely. Roanoke and Wampumpeake, Indian forms of currency, had a legal circulation for many years.

The Chincoteague, Assateague and Assawaman Indians were noted for the manufacture of Roanoke and Peake.¹ Roanoke was made from cockle-shells wrought into small pieces like beads with holes drilled through them. It was of dark color and less valuable than peake. The latter was a long cylinder, the component pieces also perforated and carefully polished. Both species had exact values, reckoned sometimes by bulk measure, but more frequently by the yard after being strung on gut. These money beads were often made into belts and ornaments. The records show that Roanoke was very common in Accomac and that it was frequently paid out to the Indians for public services performed by them.² It occasionally constituted a part of an estate. When Sir Thomas Dale sought the hand of a sister of Pocahontas for one of his colonists in 1614, it will be remembered that Powhatan informed him that she had been sold a few days before to a great Werowance for two bushels of Roanoke.

Beaver pelts were in use from the first as currency among the settlers. In 1637, eight pounds of these skins were sold for 160 pounds of tobacco. It is thought that beaver, on account of the character of the peninsula, never inhabited that region in great numbers. At any rate they disappeared soon after the white man arrived and the great value attached to the pelts in later days was on account of the distance they had to be transported.

¹Wampum means shells. Roanoke, Rawrenoke, or Rawanoke means place or thing of shells.

²Accomac County Records, Vol. 1663-66, p. 94, Bruce.

Tobacco, while used as currency for many years, was a most inconvenient form of tender, on account of its small bulk value. When the warehouses were established, the planters received tickets or receipts for the casks which they stored. These tobacco tickets were extensively employed as currency at one time.

Towards the end of the century, the people of Virginia had begun to cry for bills of exchange and coin, a much simpler and therefore a more convenient form of currency than beaver, peake, or tobacco. As a substitute for money sterling, the lion or dog collar was in general circulation on the Eastern Shore. This was perhaps a Dutch coin which had obtained a furtive admission into the colony through the smugglers of the sea-islands and its presence on the peninsula as late as 1696 was the strongest evidence of the continuation of illicit trade. In the course of that year, a petition was presented by the planters of Accomac to their representatives in the Assembly, asking that a legal value be set upon the lion or dog collar, in order that it might be used in current business transactions.¹

For selfish reasons, the Governor and Auditor General discouraged the use of money sterling, which led, in the autumn of 1697, to a series of proposals for submission to the House of Burgesses by prominent citizens of Accomack, in which it was emphatically asserted that money sterling was the most convenient medium in carrying on trade and commerce, and that its absence discouraged men in every walk of life, because they were compelled to sell upon credit, which frequently terminated in a total loss. For this reason it was stated by these practical merchants to be of the highest importance that all coins should bear a fixed value. The

¹Calendar of Va. State Papers, Vol. I, p. 52. (Bruce.)

petitioners, therefore, urged their Burgesses to demand that the rate be established at which all money, except money sterling, should pass on the Virginia exchange. Unless steps were taken to establish a uniform rate for the various coins in circulation, the petitioners predicted that even such small amount as was now in circulation, would soon be drawn to provinces where the coins had an ascertained value.¹ Their active interest in such economic matters clearly illustrates the commercial character of the Eastern Shoreman. The suggestion of the Accomack planters seems to have been adopted either immediately or in the course of a few years, for when Beverley wrote his history, the value of all money in use in Virginia had been fixed by law.²

A number of the wealthier planters carried on various industries and not always on an insignificant scale. Colonel Scarborough built a malt house at Occahannock and seems to have met with much success in the enterprise. He also had a shoe factory, the business of which was quite extensive. As moose skin was largely used in the manufacture of his shoes, they must have been of a superior quality. In a complaint which he entered in the court of Northampton in 1662, he incidentally mentions that he had nine shoemakers in his employ! He then goes on to tell that he had invested much money in the business of tanning leather and manufacturing shoes. It is probable that he contracted with the government to supply the public wants in these particulars. He petitioned that Nathaniel Bradford, a currier by trade, should be punished for his failure to perform the duties, which the law imposed upon all who followed that business. Bradford was the owner of a tan-house and a shoemaker's

¹Calendar of Va. St. Papers, Vol. I, p. 53. (Bruce.)

²Beverley wrote his history in 1705.

shop, and at the time of his death was in possession of 318 hides and 46 lasts! Such competition was not altogether according to Scarburgh's liking.¹

Sheep were raised to some extent on the peninsula, probably enough to supply the local demand for wool, for we read in the County records that Southey Littleton was the owner of a herd of 96, and Peter Wilkins of Northampton, owned 36. The various inventories show that sheep and goats were owned long before the middle of the century. The wool from these sheep was largely manufactured into "Virginia cloth" in the homes of the planters, for in 1656, the authority was given to Northampton County to pass laws to promote and govern its own manufactures, among which the woollen industry was of some importance.² The inventory of one William Taylor, of Accomack, who died about 1690, included thirty-five yards of Virginia Cloth, and John Wallop is cited as the owner of looms about the same time. Many inventories of the Eastern Shore during the seventeenth century disclose the presence of woollen-wheels, wool-cards and looms, so that it is reasonable to infer that much cloth was made there during that period.

The origin of the extensive salt-industry, in which Scarburgh and John Custis took such active parts, has been treated in a previous chapter. Let us now look into the history of salt-making on the peninsula, after the works were removed by Pory in 1621, from Smith's Island.

The undertaking could not have been placed on a permanent footing, for, in 1627, William Capps was sent to the Colony to make an experiment in the manufacture of bay-

¹Northampton County Records, Vol. 1682-97, folio page, 213.

²Hening, Vol. I, p. 396.

salt as one object of his mission. If he began the experiment at all, he was soon interrupted by a contention in which he became involved, and which ended in his expulsion from the country.

The General Court at Jamestown, in 1630, passed an order, in conformity probably with instructions from England, that the manufacture of salt should again be commenced.¹ This seems to have been done, for the Governor and Council shortly afterwards informed the English authorities that the colonists, who had hitherto employed artificial heat in the production of salt, would soon be using an improved apparatus, which would depend upon the heat of the sun alone.² Harvey indulged in many sanguine expressions, when writing upon the subject at this time.³ Thirty years after the close of his administration, the General Assembly rewarded Mr. Dawen, a citizen of Accomack, for the specimen of salt which he had procured, by requiring the costs of his visit to Jamestown to be defrayed out of the general levy. He was also exempted from the levy of Accomac.⁴ In 1660, the Assembly offered to grant ten thousand pounds of tobacco to Colonel Edmund Scarborough of Northampton if he should succeed in making eight hundred bushels of salt.⁵ At the following session, still more valuable encouragement was extended to him in consideration of his having erected salt works. He was at this time made the beneficiary of the whole amount of revenue

¹Randolph MSS., Vol. II, p. 215.

²Royal Hist. MSS. Commission, 4th Report, Appx. pp. 2901.

³Gov. Harvey to Dorchester, British State Papers, Colonial, Vol. V, p. 83. Sainsbury Abstracts for 1630, p. 213. Va. St. Library.

⁴Hening, Vol. II, p. 12.

⁵*Ibid.*, p. 38.

collected in Northampton County in the settlement of the duty of two shillings imposed upon every hogshead of salt exported, subject, however, to the condition that he was to deliver to persons designated by the Assembly the salt which he manufactured, the exchange to be made at the rate of two shillings and six pence per bushel. No salt was to be imported into the County of Northampton after 1663, and if the master of a ship, bark, or any smaller craft, disregarded the order, he was to suffer the confiscation of his vessel.¹ Here was true monopoly for those who now so violently oppose the trust! The principle is as old as mankind and is not, as some seem to think, the creation of a latter day. Protection, as an economic measure, runs with the risk of capital and is naturally advocated by those who assume the risk and deprecated by those not concerned in the investment.

Anticipating that Colonel Scarburgh might be unable to supply, with the output of his own plant, the people of the Eastern Shore with salt, the Assembly at a later date granted to him the exclusive privilege of importing this article into the peninsula, and if he were even then unable to supply the demand, the persons who might be unable to secure salt from him were to be at liberty to buy on the general market but not for the purpose of sale.² This monopoly soon proved repugnant to health as well as convenience, and the privileges granted to Scarburgh, so far as they related to Northampton County, were withdrawn and not again renewed.³ There is no evidence that salt was manufactured anywhere in Virginia in the seventeenth century except on

¹Ibid, p. 122.

²Ibid., p. 186.

³Ibid., p. 236. It is stated in a General Court entry for 1671, that Governor Berkeley encouraged the manufacture of salt in Virginia presumably at this time. Robinson Transcripts, p. 258.

the Eastern Shore, the waters of the inland bays and estuaries across the bay from the peninsula being less impregnated with brine than the waters of the open sea. The references to the importation of the foreign article became more frequent towards the close of the century. This importation was never interrupted in the counties on the Western Shore, salt being brought in as part of the annual supplies consigned to Virginia.¹

From such facts as we have at our command, it appears, that the Eastern Shore excelled other parts of the Colony, not only in the development of trade and commerce, but in industrial enterprise, as well. Yet in our State Histories we find no mention of such a condition on the peninsula.

¹See Bruce's *Economic History of Virginia in the 17th Century* for foregoing facts and authorities on salt making.

XVII

HORSES. STOCK. GAME. FISH AND PERSONALTY

The first horse on the peninsula was one conveyed to Colonel Argoll Yeardley by George Ludlow of the Western Shore, by a bill of sale dated January 30th, 1642. None of the many inventories on record, prior to that date, includes horses. They prove conclusively, however, that steers and oxen were used as beasts of burden in the pioneer days. In 1645, Stephen Charlton also owned a horse, and in November of that year a consignment of horses arrived from New England, many of the animals having died on the passage south. The custom of branding stock was begun at this time.

In the inventory of William Burdett's estate in 1642, he is shown to have been the owner of 11 oxen, 18 or 20 steers, many cows and 22 goats, but no horses are mentioned. In the inventory of Major Peter Walker's property, taken in 1655, 36 ewes, 1 ram, 14 cows, 7 draught oxen with their yokes and chains and 2 goats are mentioned, and only 3 horses. As both of these men were wealthy planters they would unquestionably have owned many horses were they to be had.

There is a tradition that the first settlers found droves of wild horses in the meadows of Assateague and Chincoteague Islands, the parent stock having come from a ship-wrecked vessel, but there seems to be no foundation for such a belief. Indeed it is highly improbable that such was the case, for

had horses been on those islands, some use of them would have been made by the first settlers. When Chincoteague Island was first prospected and granted to one of the colonists in 1670, by James II, no mention of horses occurs. Again, while Colonel Norwood, who was shipwrecked on the nearby coast and spent some time in the neighborhood as the guest of the hospitable Kickotanke chieftain, mentions the presence of large numbers of hogs in the marshes near Gingo Teague, he does not mention horses. Colonel Norwood passed right by the island in 1649 and would certainly have mentioned the wild horses, had they been there at that time.

It has also been said that the wild ponies which rove in great herds over the Accomac island owe their origin to horses left there by pirates in the early days, but this too is doubtful. Bruce tells us that the number of horses in the colony in 1631 was very small, and prior to 1649 references in the records of Virginia to horses are exceedingly rare. With the design to increase the number of these animals, the Quarter Court convening at James City in March, 1639, granted Thomas Stegge and Jeremy Blackman the right to import them into the colony,¹ and a few years later the Assembly passed laws tending to encourage their further importation.²

In 1649, there were but 300 horses in the colony, but by 1669 so many had been brought, and the natural increase had been so great, that horses had become a burden by reason of their unrestrained depredations, in consequence of which further importation was prohibited.³ In 1662, a tax was imposed upon horses, and the owners were required to con-

¹Bruce's *Economic History of Virginia in 17th Cent.*, Vol. I, p. 335.

²Hening, Vol. I, p. 268.

³Bruce, Vol. I, p. 374-5.

fine them between July 20th and October 20th. The author is inclined to believe that some of the planters of the peninsula, in order to avoid the expense of fencing off the marshes on the mainland, transported their stock to the nearby islands about this time, and that this is the true origin of the Chincoteague pony concerning which so many fables have been written.¹ The coarse provender of the salt marshes and continual exposure to the elements would readily have accounted for their stunted growth, which feature had become so marked among the horses in other parts of the colony by 1686, that carefully devised laws were then enacted to improve the breed. So numerous had wild horses grown to be by this time that one of the principal sports of young men in the colony was to hunt them, not infrequently with dogs, for all unbranded stock belonged to the captor.² Prior to 1691, the owner of cultivated land was not allowed to injure the horses of his neighbor, however much they may have injured his crop and however often the same animals may have trespassed; but during that year, a law was passed, the terms of which allowed the planter, if protected by a legal pale, to kill horses found for the third time committing depredations. So widely dispersed were the horses belonging to the same owner, that it was often impossible, after his death, to run them together with a view to their appraisement.³ Bruce cites many authorities for the statement that it was the custom for a number of planters to unite in the confinement of their horses to a neck of land, where they might roam at liberty without injuring

¹To the writer's own knowledge, attempts to raise ponies on the sea-side islands, from new stock, within the past few years, have proved unsuccessful for lack of sufficient food except on Chincoteague Island.

²Beverley's History of Virginia, p. 222.

³Letters of William Fitzhugh (Bruce).

the growing crops. These horses were periodically driven into a pen and the foals branded with the mark of the owner; and in order to prevent any secret encroachments upon the rights of others, it was generally required that notice of the penning should be posted at the parish church two weeks before the drive.¹ Here then is not only a reasonable origin for the pony, but the origin of the pony-penning as well! Why look to shipwrecks and pirates?

The people of the Eastern Shore have always loved a good horse, and have been particularly fond of racing from the earliest days, though in the seventeenth century they do not seem to have competed much with outsiders. In 1674, Richard Awburne and Isaac Jacob, both citizens of Northampton County, undertook to run their horses in a race on the Western Shore. The stake, formally arranged between Awburne and John Panewell, amounted to four hundred pounds of tobacco. Not satisfied with this race, Awburne and Jacob are found a few days later, running their horses in another heat on a track in Northampton. The latter event appears to have been a private race, but in a third, in which Jacob took part, there were many spectators present, among whom were a number of ladies whose interest was doubtless as keen as that of the men. The races in Northampton were held on ground known as Smith's Field, near the church, where a track had been carefully laid off.² In these same old records there is an allusion to the "Fall Races" (1674), as though races were held every year.³ Let us hope that the minister of Hungar's Parish was not president of the Jockey Club, as we are told a certain clergyman was on the Western Shore.⁴

¹Records of The General Court (Bruce).

²Northampton County Records, Vol. 1664-74, p. 269 (Bruce).

³Ibid., Vol. 1674-79, p. 4.

⁴See Bishop Meade's Old Churches, etc.

The number of cattle ranging at large in the salt marshes of the peninsula even before 1650 must have been very great, for the cattle marks recorded in Northampton County for one period cover thirty-six pages in the volume of records 1651-54. In fact, all over the settled portion of Virginia at that time, great herds of cattle roamed almost at will and were at times hunted and shot as if wild animals. So wide and unrestricted was the range of the cattle in the marshes of the Eastern Shore, that much trouble resulted to the owners, as only branded stock could be accurately identified. Not only cattle and horses roved over the peninsula, but droves of hogs, which had become practically wild, were to be found feeding upon the fish, crabs and mollusca of the salt creeks.

There seem to have been a great many dogs of mongrel breed on the peninsula at this time, whose chief use was in destroying the smaller kinds of animals running wild in the woods and fields. How valuable they were is shown in a case which occurred in Northampton County about 1691. A complaint was, in the course of that year, lodged in the County Court against Mike Dixon, on the ground that he permitted his dogs to rush out and bark at the heels of persons passing along the highway, which was situated immediately in front of his door. Instead of proposing to kill or restrain them, Dixon simply petitioned the Court to have the public road moved some distance back from his dwelling house, "because it was necessary," he declared, "to keep dogs for the preservation of his creatures from vermin."¹ The creatures he referred to were poultry and young pigs and the vermin were wolves, minks, polecats and the like.

¹Northampton County Records, Vol. 1689-98, p. 86 (Bruce).

To this day foxes are very plentiful on the peninsula and no doubt fox-hunting in a mild form was one of the chief sports of the people in early days as it is now. While there were no deer, bear, wolves, nor other kinds of wild animals left on the peninsula by the end of the century, as late as 1683 rewards were offered for the destruction of certain of these beasts, which must have greatly encouraged the pursuit of them, already very exciting from the unusual dangers attending it.

Judging from the various statute books and court records of the seventeenth century, slight effort was made to protect the fish, oysters, terrapin and wild-fowl, all of which abounded in the waters of the Chesapeake and Atlantic Ocean, on the Eastern Shore. So lavishly had nature stocked these waters with her delicacies, that the supply was regarded as unlimited, and as usual no thought of the future was entertained until irreparable ravages began to show their effects. Thus is the improvidence of man wont to run its course and nature's well-nigh boundless stores are all but exhausted before human extravagance receives a check. The fisheries and oyster industry of the Eastern Shore were sources of much wealth in the seventeenth century as now, in spite of the fact that protective legislation was not indulged in.

As nothing gives one a better insight into the character of a bygone people than a knowledge of their personal belongings, a few items garnered from the ancient inventories follow. These old inventories show that the Eastern Shoremen were not only comfortably but luxuriously equipped.

In 1642, the inventory of William Burdett included many beds with valences, blankets, sheets, pewter dishes of all kinds, and much silverware. There was no crockery in use

at the time; all utensils were brass, copper, pewter or plate. Major Walker's inventory included (1655): 6 leather chairs; a coverlid of tapestry and many cambric sheets; 1 broad-cloth coat lined with silver lace; 1 coat of same material for riding, lined with lace; 1 entire suit of broad-cloth; 1 broad-cloth short coat lined with silver lace, and doublet and hose to match; and 1 stuffed suit of clothes. In addition to these articles the inventory included a bird cage, willow chairs, and a handsome East India quilt; all beds had valences; there were three Dutch chairs in the parlor; 15 dishes of pewter weighing 60 pounds, 1 silver beer bowl, kitchen furniture and utensils similar to those of the present day, and a number of books on divinity and history in the library. The personalty of William Kendall included, in silver plate alone, 27 spoons, 2 dram cups, 2 punch bowls, a caudle, and a pair of snuffers. The inventory of the effects of Ann Littleton, who died in 1656, shows that she owned a great amount of handsome furniture, and that her wardrobe was equal, in size and quality, to that of the finest ladies of England. In 1647, books are first mentioned in the records; a Bible without the Psalms, Dr. Wm. Smith's sermons and the "Practise of Piety." In 1650, a Turkish History, Stowe's Chronicles and the King's Meditations are mentioned. The history, no doubt, was at one time the property of the Turkish merchant who resided in the county.

The records show that books were very generally owned. In many cases the number and variety of the subjects included in a single collection is surprisingly large. The unusual care with which testamentary disposition of books was made indicates the high value which the owners attached to them.

About 1693, John Wallop, of Accomac, bequeathed a number of books to his son, reserving for his daughter not only the family Bible, but two works known by the title of the Woman's Councillor and the Countess of Kent's Choyce Manualls. In 1643, after leaving to Colonel Jno. Tilney all his chirurgical treatises, Dr. John Halloway gave his Greek Testament in folio to Rev. John Rosier; his catechism to Mr. Philip Taylor; and a volume entitled "The Humiliation of Sinne" to Mr. John Fullard. In this collection there were thirteen works on surgery, written in Latin or English, and twenty bearing upon a great variety of subjects of general interest. Daniel Cugley, Philip Chapman, and Dr. John Severne, owned fair collections of books well before the middle of the century. Other libraries at this time were those of Martin Rennett, William Berryman, Henry Pedington, Mrs. James Lemman, George Clark, and William Penley. Pedington owned a large number of religious works.

The Rev. Thomas Teackle possessed, perhaps, the choicest library in the two counties. To his son, he bequeathed fifty-two religious works written in English, and thirty-four written in Latin; and to his daughter, sixty similar works in English, and thirty-one in Latin. The entire collection contained about two hundred and fifty theological works and about a hundred volumes, many written in Latin, dealing with the medical science. Some of the books included in this library were Horace, Lucretius, The Picture of a Papist, Presbyterian Unmasked, Burton's Anatomy, Civil and Military Aphorisms, and Grotius's Laws of War. Among the books of Colonel Southey Littleton's collection were Æsop's Fables, two works in the Latin language, Dr. Sander-son's Sermons, Ye Difference of Sacraments, Body of the

Common Law, Laws of Virginia, History of the New England War, Doctrine of Triangles, and the London Dispensary.

The collection of Charles Parkes, a gunsmith, contained a large number of volumes, including fifteen relating to theology and eleven to history. Among these books were Speed's Chronicle, and the Travels of Sir Francis Drake.

Edward Bibbe and William Kendall owned sixteen and thirty-two volumes, respectively. George Dewey was also the owner of a large collection. John Michael, of Northampton, bequeathed to his "dear & pious brother" all the works in his collection written in the Dutch language. There were many books of this character in the libraries of the Eastern Shore, due to the large number of Dutch residents. Lawrence Jacobson alone owned thirteen.

The collection of Dr. George Nicholas Hacke consisted of twenty-two works written in high or low German, fifty-four in Latin, and many others in English.

After reviewing such records, one cannot fail to better understand the character of the early Eastern Shoreman and the conditions surrounding him. We have found the people busily engaged in planting, and in an inter-colonial commerce; far advanced in the industrial arts, such as weaving, tanning, shoe-making, malt-brewing, salt-boiling, and ship-building, and then we have found them to be well housed and clothed, enjoying many of the luxuries of life amid ease and plenty. But this is not all. These people were not content to loll in the sun and dream away their days in idleness. We have examined the libraries, a sure sign of the intellectual bent of the owners, and later we shall learn with what care and forethought provision was made for the education of the children.

XVIII

SOCIAL CONDITIONS. CUSTOMS AND TRADITIONS

We have already seen that the Eastern Shore was considered, as early as 1622, a very healthful region. The proximity of large bodies of salt water modified the climate, and made this section one of the most wholesome and pleasant spots imaginable to the first settlers; and in the early records but three physicians are mentioned, Halloway, John Seaverne or Severn, and George Nicholas Hacke, the latter being a German. These old doctors all supplemented their professional income by planting tobacco and engaging in trade, and were frequently put to it to recover their medical fees, as evidenced by the numerous suits brought by Severn.

Long continued extremes of heat and cold were unknown on the peninsula, for the warm winds of the nearby Gulf stream softened the rigors of winter, while the cool sea-breezes in the summer made the evenings and nights of the hot season delightfully pleasant. To these conditions was no doubt due the robust vigor and healthfulness of the early settlers, when sanitary conditions were at their worst, and people were dying like sheep along the malarial banks of the great rivers to the West. The death rate was so small and the age to which many of the inhabitants lived so great, that an early writer was led to remark: "People on the Eastern Shore do not die, but dry up and blow away."

So mild was the climate of the Eastern Shore that figs, pomegranates and many varieties of tropical plants were

imported and set out by the first settlers. Flowers grew in wild luxuriance and beautified the simple homes, adding another element of sweetness to the general contentment of these people.¹

So far as is known, there was no public school on the peninsula in the seventeenth century. The wealthy planters sent their sons to England to be educated or they employed tutors. Of the latter, there seem to have been many, and some of them were men of rare attainments. As early as 1640, John Waltham provided in his will for the selection of a "good and godlye schoolmaster" with extraordinary care.

The amounts provided for the education of their children, by many of the planters, are surprisingly large, even for a much later period. In many cases a specific number of cattle, with the natural increase, was set apart to defray the expense of tuition or schooling, and the records of no other

¹Over a century ago, Commodore Hallet brought a number of Mahogany slips from Central America to the Eastern Shore and set them out in the yard of his home. One of those slips survived, and is now a tree about three feet in diameter. In recent years, the old Hallet Estate, located on the extreme point of Cape Charles, came into the possession of Mr. John S. Wise. The new owner named the place "Kiptopeke," after the Indian chief who there welcomed John Smith in 1608. After several failures, Mr. Wise learned to rear the scions of the great tree, and to-day there are about 20 Mahogany trees prospering in his yard. The original tree is thought by the negroes to be haunted by the spirit of Commodore Hallet, which is said to loiter beneath its spreading branches at the mid-night hour. There are several Mahogany trees in Eastville, the county seat of Northampton, and one large tree in the yard of the rectory at Accomack Court House. Some years ago, a scion of the latter was transplanted by Mrs. W. B. Stokes on her estate in Goochland County and is now in a flourishing condition. The author was told by Judge George L. Christian, of Richmond, that there is a large Mahogany on the old Christian estate in Charles City County. It has since been learned that this tree came from the Eastern Shore, transplanted by a Bayly who married a Christian. There are several magnificent Mahogany trees in Williamshurg. In view of the prosperity of these trees in different sections of Virginia, would it not be well to encourage the planting of the Mahogany on Virginia soil?

counties in Virginia show such thoughtful attention to the matter of education as do those of the Eastern Shore.¹

John Custis IV provided in his will that the proceeds from the labor of fourteen slaves should be expended for the maintenance and tuition of his grandson up to the time he should be sent to England for advanced instruction, and for the latter an additional large amount was set apart.

John Savage, of Northampton, provided in his will that a horse and mare, two steers and two cows, with their increase, should be devoted to the education of his son Thomas in England. He also provided for the tuition of his two daughters by requiring his executors to hire out three servants; the proceeds of their labor to be used to pay the instructor for a period of five years.

The principal and most active school-teacher on the Eastern Shore seems to have been John Higgs. This gentleman, in 1679, undertook to conduct a private school of some magnitude, relying upon the wealthier planters for patronage. A building on the plantation of a Mr. Macklannie was rented for a schoolhouse, for the use of which the scholars' fathers were to pay twenty pounds of tobacco apiece. Unfortunately the enterprise was not properly supported, and Mr. Higgs was soon forced to give up his school.

The desire to have their children educated was not restricted to the whites, for in 1693 Thomas Carter, of Northampton, a free negro, left directions in his will for the education of his sons, and many of the negro children were taught to read and write, either by their parents or masters. The first mention of a free school was in the will of William Whittington, dated March 4, 1659, in which 2,000 pounds of tobacco was provided by the testator for a free school "should it go forward in Northampton."

¹Bruce's Institutional Hist. of Va. in the 17th Century.

The practice of dividing their estates among their children before death was quite common among the early Eastern Shoremen, for the doctrine of primo-geniture was not regarded by them with particular favor. The first entail mentioned was one from William Andrews to his son Robert, July 8, 1653, and entails were comparatively infrequent.

People in those days married while very young and hence had more time in which to repeat the act. Three or four wives for an Eastern Shoreman in the seventeenth century was not a record to excite comment.

By 1673, Maryland, says Bruce, had become the "Gretna Green," of Virginia. The Pocomoke boundary line was delightfully convenient for Eastern Shore lovers, many of whom, barred from marrying for one reason or another at home, sought the sweet solace of legitimacy upon Maryland soil. When Scarburgh and Calvert ran the line in 1663, they selected a number of patriarchal oaks as boundary monuments. Through several generations these noble trees did service as sylvan temples, for beneath their spreading branches the Accomack lovers were frequently married, this practice giving rise to the name of "marriage trees."

It was not always necessary for runaways to resort to the northern side of the "marriage trees," however, for it will be remembered how Mr. Getterings eloped with the little twelve-year-old Elizabeth Charlton while she was living in the family of Captain Jones, where she was being educated.

Divorce was most uncommon. The husband's authority was absolute, and seldom questioned. Perhaps the good wives did not expect too much of their gallant consorts, and domestic bliss was not hampered by woman's suffrage and political associations. Occasionally, however, the decree of divorce was sought, as in the case of Alice Clawson, of North-

ampton, who secured a divorce from her husband in 1655 on the ground that he had for many years lived among the Nanticoke Indians in the character of their principal chief, and had refused to give up his Indian concubine.¹

That the mid-wife was present, is evidenced by the following old entry of 1682: "Agnes William, aged 24 years, sayeth that Maudlin (Magdalen), wife of John Major, did bargain with Susan Helline, widdowe, for to keep her while she lay in childbed and did promise to give her 12 hens."² It seems that the widow Helline sued Agnes for 18 hens.

A funeral at this time was a splendid, and for many of the attendants a highly enjoyable, occasion. The shadow of death had no place among those sunny spirits. Barbecues were given and rum liberally dispensed by the afflicted family, and a general spree was indulged in at the expense of the estate of the deceased. The more boisterous mourners usually carried their fowling pieces and fire-arms to the funeral, and after the feast and bowl had somewhat assuaged their sorrow and enlivened the solemn occasion, a barbaric celebration ensued.

Among the charges against the estate of Richard Leman for his funeral, in 1647, are the following: An ox at 800 pounds of tobacco; 1 case of drams at 200 pounds; and a coffin at 100 pounds. William Carter, the caterer, for dressing the dinner was paid 100 pounds of tobacco, and for digging the grave 40 pounds. Numerous testators deprecated such extraordinary expense at their funerals and provided a limit to it in their wills. John Michael, of Northampton, voiced such a sentiment when he ordered in his will that there should be no drinking immoderately nor shooting

¹Northampton County Records, Vol. 1654-5, p. 135.

²Accomac County, Vol. 1632-40, p. 16, Va. State Library.

suffered "at his burial," for such excesses, he said, "were very unseasonable and inconsistent with the occasion." Instead of the usual festivities there was to be only "a civil and free entertainment."¹

Every Eastern Shoreman was a natural sportsman, for no other locality in the world provided such sport as was to be found on the peninsula at that time. The fowling piece, the boat, and the fishing line, were as familiar to the youth then as they are now. Even the poor Indians, when they had been robbed of their lands, deprecated nothing so much as the loss of their hunting and fishing privileges, and for years after all tribal identity had been lost, the few remaining natives were to be found pushing their canoes through the rushes and weaving their nets along the shores of the peninsula. These Indians were experts in the pursuit of wild fowl and fish, and many canvass back and sheepshead were ensnared in their nets, or fell victim to their unerring spears.²

Smith, in his General History, in describing the means by which the natives caught their fish, says that the Indians of Accawmack used "staves like javelins headed with bone. With these they dart fish swimming in the water." "They have also many artificial wares in which they get abundance of fish." The word "wares" probably meant weirs, nets, traps, etc.

It will be remembered how the Captain came to grief on Stingaree Point in practicing the art taught him by Kictopeake.

¹Northampton County Records, Vol. 1674-9, p. 340 (Bruce).

²Near the point of Cape Charles, on the edge of Bullock's Channel, is an oyster rock called Indian Rock, where the natives three centuries ago speared sheepshead. The sport is indulged in at this particular spot at the present day, and a spear similar to those of the Indians is employed.

As a result of the sportsmanlike tendencies of the early Eastern Shoremen, their great boards groaned under the weight of the finest oysters, duck, terrapin, crabs and fish. Colonel Henry Norwood, who visited the peninsula in 1650, tells us that there was keen rivalry between the planters there as to who should dine him first and most often; and then he tells us that a traveller in the early days was put to no charge whatever, so hospitable were the planters.

There seem to have been few homes on the Eastern Shore at the time of which we are writing, in which musical instruments of some kind were not found. At many of the entertainments, some female member of the family giving the dance furnished the music by playing on one of these instruments; but the county records show that among the servants and slaves there were some who were especially valued for their skill with the fiddle, and that this skill was called into use on many gay occasions. Attached to the plantation of Captain Richard Bayly, of Accomac County, was a negro slave who, by his accomplishment in this respect, contributed as much to the diversion of the neighborhood as any person in it. This fiddler is found taking a prominent part in a lively scene which occurred at the house of the Rev. Thos. Teackle, to the scandal of the whole countryside, though the episode seems innocent enough in the light of modern days. Elizabeth Parker, accompanied by Samuel Doe and his wife, went over to Mr. Teackle's house to visit his daughter while he was away. They carried the negro boy with them, and after their arrival it occurred to the little company that it would be pleasant in the opportune absence of the clergyman to have a dance. The fiddle which had been left behind was sent for, and the dancing began. While it was going on, one James Fairfax came for the boy, but Elizabeth

Parker made him abandon his purpose by informing him, with some temper, that she had borrowed the fiddler of her sister, Ursula Bayly, his owner. She, however, declared that the boy should not go unrewarded for his playing, and she pulled out her purse and gave him a Spanish piece of eight. She also persuaded Fairfax to remain and take part in the dancing. Some one present seems to have reproached Margaret Teackle for "undutifulness of carriage and demeanor" towards Mr. Teackle "by making feast in his absence," but Elizabeth urged her to disregard her father, whose strict notions as to what was proper she probably scorned and despised, and to take advantage of his not being in the house to enjoy herself. Mr. Teackle, though a clergyman, was a man of wealth and was engaged to be married to one of Elizabeth Parker's kinsfolks; "and a proud woman she was," exclaimed the fair tempter, "and wore fringes at the binding of her petticoat." Margaret Teackle seems to have yielded only too readily to her friend's urgent appeal, and at once fetched the silk with which the fiddler might string his instrument; and as a reward for his playing gave him several yards of ribbon as well as several yards of lace, all of which, no doubt, touched the negro's sense of finery.

The dance started on Saturday night, and continued with spirit until nearly eleven o'clock of the following Sabbath morning. The company consisted of Elizabeth Parker, Jane Hall, Margaret Teackle, James Fairfax, and John Addison. In one interval of the dancing the hostess led her guests upstairs to show them her new gaiters. They seem to have overhauled the contents of her trunk, and among the articles which she presented to Elizabeth Parker were thread, laces and ribbons, and also a muslin cap adorned with a yard of fine lace.

When Mr. Teackle returned home a few days afterwards, and was informed of the desecration of his house by a dance on the Sabbath day, even during the hour when services at Church were in progress, he was greatly scandalized, and at the next meeting of the county court formally presented Elizabeth Parker and her husband. The good preacher resented particularly Mrs. Parker's acceptance of the gifts of his daughter and endeavored to make out that they had been improperly taken from his house.¹

This scene at the Rev. Mr. Teackle's house throws an entertaining light on the gay spirit of the young Accomackians of both sexes, who were ready to divert themselves on the most unexpected occasions, and who sometimes carried their love of amusement to a point that was well calculated to shock the piety of their elders. It was only by the indignant protest of Mr. Teackle in having the main culprit indicted in this special case that the incident is preserved for us, but similar instances of dances begun on the moment must have been of frequent occurrence, and have done much to brighten the social life of the county. Nor was dancing, occurring on a Sunday, a great rarity, though it never went unpunished. In 1698, William Johnson, of Accomac, was fined by the court for such an offense.²

If there was any undertaking to present a theatrical performance in Virginia previous to 1665, no record of the fact survives, says Bruce. In that year, however, when the Stuart dynasty had been restored to the throne in England, and the theatre was fast becoming one of the most popular as well as one of the most disreputable institutions in the kingdom, a play known as "Ye Bare and ye Cubb" was

¹Accomac County Records, Vol. 1690-97, p. 161, et seq. (Bruce.)

²Accomac County Records, Vol. 1679-1705, folio, p. 43. (Bruce.)

acted on the Eastern Shore by three citizens of Accomac, Cornelius Watkinson, Philip Howard and William Darby, by name. As soon as the report of this performance reached the ears of the King's attorney, John Fawsett, he summoned them to court, where each was subjected to a rigid cross-examination. At this session the justices contented themselves with ordering the culprits to appear at the next meeting of the court in the habiliments which they had worn in acting the alleged play, and they were also required to bring with them for inspection a copy of the "verses, speeches, and passages" which they had declaimed on that occasion. The justices must have found the performance of a very innocent character, for they directed the three men to be discharged, and the person who had informed on them to pay all the expenses of the presentment.¹ So quaint are the records of the court proceedings growing out of this, probably the first theatrical performance in English America, that extracts from the original records are here given:

"Att a court held in Accomac County, ye 16th of November, by his maties Justices of ye Peave for ye sd County, in ye Seaventeenth yeare of ye Reigne of or Sovraigne Lord Charles ye Second, By ye Grace of God, of Great Britaine, France, and Ireland, King, Defender of ye Faith, &c.: And in ye Yeare of or Lord God 1665.

"Whereas, Cornelius Watkinson, Philip Howard, and William Darby, were this day accused by Jno. Fawsett, his maties Attory for Accomack County, for acting a play by them called ye Bare and ye Cubb, on ye 27th, of August last past; upon examination of the same, The Court have thought fitt to suspend the Cause till ye next Court, & doe order yt the said Cornelius Watkinson, Philip Howard & Wm. Darby, appeare ye next Court, in those habilemts that they then

¹Accomac County Records, Vol. 1663-66, folio, p. 102. (Bruce.)

acted in, and give a draught of such verses, or other speeches and passages, which were then acted by them; & that ye Sherr detains Cornelius Watkinson & Philip Howard in his Custody until they put in security to perform this order. It is ordered yt the Sherr, arrest ye body of William Darby, for his appearance ye next Court, to answeare at his maties suit, for acting or being actour of a play commonly called ye Beare & ye Cubb."

“Att a Court held in Accomack County, ye 18th of December, by his maties Justices of ye Peace for ye sd County, in ye Seaventeenth yeare of ye Raigne of or Sovraigne Lord Charles ye Second, By ye Grace of God, of Great Britain, France, & Ireland, King, Defendr of ye Faith, &c.: And in ye yeare of or Lord 1665.

“Its ordered yt ye Sherr sumons Edward Martin to ye next Court, to show cause why hee should not pay ye charges wch accrued upon ye information given by him against Cornelius Watkinson, Philip Howard, & William Darby.”

“Att a Court held in Accomack County, ye 17th of January, Etc.

“Whereas, Edward Martin was this day examined concerning his information given to Mr. Fawsett, his maties Attory for Accomack County, about a play called the bare & ye Cubb, whereby severall persons were brought to court & charges thereon arise, but the Court finding the said persons not guilty of fault, suspended ye payment of Court charges; & forasmuch as it appeareth upon ye Oath of ye said Mr. Fawsett, that upon ye sd Edward Martin’s information, the Charge and trouble of that suit did accrew, It’s therefore ordered that ye said Edward Martin pay all ye Charges in ye suit Els. Exon.”

Such extracts, says Campbell, exemplify the simplicity of the times, and the verbosity of the court records; while the

final decision in this case is not less equitable than those of Sancho Panza, sometime Governor of Barataria, or those celebrated in Knickerbocker's History of New York.

The game of nine-pins, like backgammon, has always been very popular on the Eastern Shore. As early as 1636, William Ward of Accomac is found participating in a game of this kind which took place at the house of John Dunn, and the diversion proved so absorbing that he is reported to have spent the whole day engaged in it. That same year, Lady Dale's cattle were mentioned as trespassing, owing to their keeper being off playing nine-pins.¹

A game which took place in 1693 was played in a private residence. Joseph Godwin, the son of the owner of the house, bet his opponent that he would tip seven pins, but only succeeded in tipping five. A quarrel arose over the payment of the wager, and a violent scuffle ensued, which seems to have brought the parties into court.²

It is needless to say that the gin-shop and tavern flourished in those days, and were very well patronized. In a foregoing chapter, the first taverns and gin-shops have been referred to. Until a late date, Court was held at the various taverns which were, of course, located at convenient points of travel. In 1652, Walter Williams, the ordinary keeper at Nassawattocks, complained to the Court that he could not collect his dues from many of the inhabitants who owed him for their accommodations. A minute of the Northampton County Court, dated 1678, records the fact that it had become the practice of several persons to attend on the occasion of the court's meeting in order to get intoxicated, quarrel, and fight, and that they had the "impudence" to

¹Accomac County Records, Vol. 1632-40, Va. State Library, p. 59.

²Northampton County Records, Vol. 1689-98, p. 263. (Bruce.)

enter the court-room whilst the judges were sitting, and be abusive to their faces. A strict measure for repressing these roughs was adopted, and the keeper of the ordinary near the court house was warned that, unless he preserved perfect order in his tavern, his license would be withdrawn. In spite of such precautions on the part of the court, much drunkenness seems to have prevailed by the time night arrived. This fact was so well known that the indentured servants very often took advantage of the relaxed vigilance of that hour to make their preparations for flight. About 1680, a servant confessed in Northampton County that he had been waiting for a court day in order to steal a bridle and a saddle. This, he said, he could do as soon as night came on, when he knew the people would be too much in drink to observe his actions. The bridle and saddle he intended to hide in the woods until he could run off with one of his master's horses and thus make good his escape to Maryland.¹

There are those living to-day on the Eastern Shore who recall, no doubt, with regret, the old institution of Court Day. The ladies, of course, since they did not then claim the right of suffrage, kept well out of sight, and the gentlemen indulged themselves to the full without restraint. Much of the local business of the time was transacted on court day, creditors made this the last day of grace, land titles were transferred, horses traded, races held on the shell roads of the county and the swiftest boats, bateaux, "kunnners" and sloops assembled in the nearby creek for the usual court-day regatta. Governor Nicholson, during the course of his administration, offered prizes to all who should excel in riding, running, shooting, wrestling and cudgelling.²

¹Northampton County Records, 1679-83, pp. 52, 53. (Bruce.)

²Beverley's History.

What Eastern Shoreman has not heard his father or grandfather speak of court day in terms of affection, as of an old friend long since departed? What a twinkle comes in the old man's eye! He is looking back through the mist of years to those joyous, gay, noisy, crowded, quarrelsome, cruel, racy, inebriated, but withal happy court days of a past generation. They served their purpose like other quaint institutions of the ancient order; their harmful feature can do us no injury now, for those days are gone, irretrievably gone.

Duelling was quite common on the Eastern Shore in the seventeenth century, and some of the indentured servants seem to have been as fiery in nature and as quick to resent an affront, real or imaginary, as were their masters. In 1661, a servant belonging to Christopher Calvert sent a peremptory challenge to Goslin Van Netsen, a citizen of Dutch origin. The challenge was accepted, the duel fought, and the servant badly wounded. Calvert was ordered by the county court to pay for the present, all the fees which Dr. George Nicholas Hacke should charge for medical attendance on the injured man, but they were ultimately to be shared by Van Netsen, who had inflicted the wound. Calvert was to be finally compensated by an extension of the servant's term of service.¹ It is probable that, in this case, the servant sending the challenge really belonged to a higher social grade than appears in the records. Many of those bound by articles of indenture were, as we have seen, young men of gentle connections, whose social antecedents were inconsistent with the position in which they placed themselves; or it may be they had signed the articles in order

¹Northampton County Records, Vol. 1657-64, p. 132. (Bruce.)

to learn some specified pursuit, like tobacco planting, before embarking in it on their own independent account.¹

Dr. Severn, Peter Cropper, and the first of the Tullys were entered in the records as servants, though they were all men of high social standing, the first named having received his professional education in Germany. But let us return to the duel.

It is not likely that Van Netzen would have accepted a challenge from an ordinary servant, as that would have been regarded as a confession on his part of the social equality of his antagonist with himself. At any rate, the servant seems to have got the worst of the affair both in the conflict and the subsequent settlement of damages, which after all was quite proper in view of his insolence.

A duel between Captain William Epps and Captain Stallinge, in which the latter was killed, about 1619, has been referred to in a previous chapter. This was probably the first duel between Englishmen in America.²

A great affection often sprang up between the white servants and their masters, who frequently, in case of a worthy servant, established him in business when his term of servitude expired. In the old records, a peculiar instance is cited where Robert Healing of Accomac, who was bound to Thomas Young, gave his master, in 1634, a man-servant whom he had probably purchased from a merchant or ship-owner.³

And now of the traditions and superstitions of these strange and interesting people of the seventeenth century, a few should be given in these pages.

"The Bogey of Cradock Marsh," is one of the earliest traditions, and is to-day one of the best known. This bogey,

¹Bruce's *Social Life of Virginia*, in *Seventeenth Cent.*, p. 248.

²See chapter on Plantation of Accomac.

³Accomac County Records, Vol. 1632-40, p. 46. (Bruce.)

whatever it may be, whether man or beast, has been sought by armed hunting parties for several centuries. By day and by torchlight, its trail of foot-tracks has been followed only to be lost as the weird cry of "Yahoo! Yahoo!" resounds through the dismal wastes of marsh to warn the curious of the futility of their quest, and to make the blood of the half-hearted searchers run cold. And then there is the headless man, who for centuries has exacted toll at "Taylor's Bridge" until stingy travellers refuse to pass that way at night! It is said that he never demands more than fourpence-half-penny, and that those who refuse to pay him invariably come to grief.

Then there are the ancient traditions growing out of the pirates' occupation of Parramore's Beach, Revell's Island, Hog Island, and Rogues' Island; the latter so named from the character of its early tenants. For a true appreciation of these charming old tales, one must visit the country and hear the old folks and the negroes recount them before a winter's fire, as the gale howls and shrieks through the ancient pines and flurries the sand against the window panes; or one must lie out upon the deck of a fishing craft, anchored in some remote inlet among the sea islands, and listen to the weather-worn sailors tell their tales of mystery, as the tide swishes along the reedy shores and the weird voices of night whisper among the rushes of the neighboring marsh.

An account of the Eastern Shore without some mention of the queer old tales about John Custis, the fourth of the name, who inherited "Arlington," after which the Potomac estate was named, would be, as the sailors say, like a song without a chorus.

This John Custis married Frances Parke, daughter of Daniel Parke, Governor of the Leeward Islands, and their son, Daniel Parke Custis, was the first husband of Martha

Dandridge, afterwards Martha Washington. John Custis and Frances Parke lived at "Arlington" many years. The alliance seems to have been a very unhappy one, and many stories of their contentious life have been handed down to us. Frances was a lady of much determination, which led to frequent conflicts with her eccentric husband. It is said that for weeks at a time they lived together without speaking to each other. During these long periods of silence, all communication was carried on between them by means of the servants. For instance, Mrs. Custis would say to the butler: "Pompy, ask your master if he will have coffee or tea, and sugar and cream," and to the servant's question, Mr. Custis would reply: "Tell your mistress that I will have coffee as usual, with no cream."

After one of these long spells of non-intercourse, Mr. Custis dressed himself with great care one day, ordered his best horse and gig to the door, and in the most polite and dignified manner, invited Mrs. Custis to accompany him on a drive. "Certainly, Mr. Custis, certainly, sir, I will be delighted, but when were you ever so courteous before?" inquired the grand lady.

Instead of taking the usual route along the bay beach, the gallant whip headed his horse straight out into the bay, the water deepening very gradually near Arlington. "Where are you going, Mr. Custis?" asked his wife. "To h—l, Madam," he replied. "Drive on," said she, "any place is preferable to Arlington."

Presently the water began to enter the gig. "Again I ask, where are you taking me to?" said Mrs. Custis. "To h—l, Madam, as I have already told you," answered Mr. Custis. "And again I say, drive on, Mr. Custis, the prospect is far brighter than that of a return home," retorted the bold lady.

After proceeding so far out from shore that the horse was all but forced to swim, Mr. Custis turned his animal's head to the shore, saying to his wife with much emphasis, "If I were to drive to h—l and the devil himself came out to meet us, I do not believe, Madam, that you would be frightened." "Quite true, sir," she replied, "I know you so well that I would not be afraid to go where you would go."

After this adventure, the couple seem to have lived more happily together, for a deed, to which they were both parties, was soon drawn up, in which mutual concessions were made in the hope that domestic tranquillity might ensue. So curious is this instrument, that its full text is given in the appendix.

Mr. Custis survived his wife seven years. Whether her memory was held in great affection by him may be determined by the reader from the inscription which he ordered to be put on his tombstone. The deed of settlement seems to have been only partially successful at most:¹

Beneath this marble tomb lies ye body
of the Honorable John Custis, Esq.,
of the City of Williamsburg and Parish of Bruton
Formerly of Hungar's Parish on the Eastern Shore of
Virginia and the County of Northampton the place
of his nativity.

Aged 71 years and yet lived but seven years
Which was the space of time he kept
a Bachelor's House at Arlington
On the Eastern Shore of Virginia.

This information put on this tomb was by his
own positive order.

Wm. Colley, Mason, in Fenchurch Street, London, Fecit.

¹The inscription of this old tombstone could easily be read until a year or so ago. I am informed that the stone has been recently destroyed.

This then was the mode of the revengeful and spiteful John's satisfaction. It was not enough that his contemporaries should witness his domestic and marital difficulties, but posterity must be apprised of his wife's character, not to say his own, by means of an elaborate tombstone, wrought by the hand of a London Mason.

In such tales as the Bogey of Cradock's Marsh, the headless man of Taylor's Bridge, and many others of these simple sea-faring people, we see but a recurrence of the ancient myths which appear in the lore of nearly every primitive folk. The Headless Hessian, Koschei the Deathless, and William Tell are often found as old friends in a new garb. But tangible and recognized by the law courts of the seventeenth century was the superstition which gave rise to, and created the "Ordeal of Touch" or the "Bier Test," as the ancient ceremony was called. Here, on the Eastern Shore of Virginia, occurred the last instance of this, the weirdest fiction of mediæval days, inherited from a Saxon ancestry and transplanted upon American shores by the early Accomackians.

The ordeal or "test" grew out of the superstition that upon the murderer touching or coming into the presence of the body of the victim, the wounds would bleed afresh. The belief was widely prevalent even among the educated people of Scotland and England in the seventeenth century. Michael Drayton, an English poet, who lived about 1600, wrote:

"If the vile actors of the heinous deed
Near the dead body happily be brought,
Oft has been prov'd the breathless corpse will bleed."

Perhaps, however, the best known allusion to this belief is that contained in Act I, Scene II, of Richard III, where Lady Anne, in the presence of the body of the dead King, is made to accuse Gloster in the following passage:

“O gentlemen, see, see, dead Henry’s wounds
Open their congeal’d mouths and bleed afresh!
Blush, blush, thou lump of foul deformity,
For’t is thy presence that exhales this blood
From cold and empty veins, where no blood dwells.”

The records of Northampton County show that on December 14, 1656, Captain William Whittington issued a warrant for a Jury of Inquest over the body of Paul Rynners, supposed to have been murdered by William Custis, Gent. The Jury reported:

“We have viewed the body of Paul Rynnuse, late of this county deceased & have caused Wm. Custis to touch the face & stroke the body of said Paul Rynnuse which he willingly did. But no sign did appear unto us of question in the law.”

Accordingly, the accused Mr. Custis was exonerated by the Court. Later we find in Accomack a very full record of the proceedings of “The Ordeal of Touch” in connection with a case of infanticide:

“Att a Court held & continued for Accomack County, March 18, 1679. The Confession of Paul Carter taken the First day of March, 1679.

“Quest. What doe yu know concerning a child born of Mary the daughter of Sarah, the wife of the said Paul?

“Answer. That he doth know that the said Mary had a man child born of her body and that the said Sarah assisted at the birth of the said child, & that he certainly knoweth not whether it were born alive or not & that they did endeavor to preserve the life thereof and that it lay betwixt

his wife and her daughter all night and that ye next morning he saw it was dead & he and his wife carefully buried the said child but that his wife carefully washed and dressed it.

"Quest. Doe yu know or have ever heard, who was the father thereof reputed?

"Answer. The said Mary charged one Mr. James Tuck therewith."

And so the record runs through various examinations of Sarah and Mary with the result that Paul and Mary were separated by the court and the former indicted for the crime.¹

This is said to be the last instance of the curious "Ordeal of Touch" or "Bier Test" on record.

In the foregoing chapters certain facts have been gone into with what may seem undue particularity, in the hope that the high lights and shadows of the picture might increase the expression of the whole, and that a keener eye might detect features which have escaped the notice of the writer.

From the facts presented, we must form our own conclusion as to the real conditions surrounding the early Eastern Shoreman, but it is not difficult to believe that his lot was a peculiarly happy and fortunate one, nor to appreciate the truth of Colonel Norwood's statement that in 1650, "Northampton County was the best of the whole (Colony) for all sorts of necessities for human life."²

And now let me ask those who have claimed to describe Colonial Virginia, how they account for their comparative

¹The full text of the proceedings in this case is published in Vol. II, Va. Magazine of Hist. and Biog. pp. 185-197, a reading of which will amply repay the curious. The extract from the county records was prepared by Mr. M. Oldham, County Clerk, in 1896.

²A Voyage to Virginia. Force's Collection of Historical Tracts, Volume III.

disregard of this section of the Old Dominion where the purest blood of England has coursed through the veins of the people during three centuries; where loyalty to the King was the most intense, yet where a spirit of independence arose with the first generation born upon that soil; where population was the densest, wealth the greatest, trade the most highly developed; that land, whose very Savages saved the infant colony on two different occasions?

APPENDIX

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EASTERN SHORE REPRESENTATIVES IN THE COUNCIL AND ASSEMBLY DURING 17TH CENTURY

COUNCIL.

ARGOLL YEARDLEY, 1639.

Born 1605 in England,
Died 1670 in Northampton County.

OBEDIENCE ROBINS, 1655.

Born Apr. 16, 1600, in England,
Died ———, 1662 in Northampton County.

GEN. JOHN CUSTIS II, 1677.

Born in Virginia ———, 1630,
Died in Virginia Jan. 1696.

CHARLES SCARBURGH, 1691.

Born in Virginia,
Died in Virginia, 1703.

JOHN CUSTIS III, 1699.

Born in Virginia, ———, 1653,
Died in Virginia, Jan. 26, 1713.

JOHN CUSTIS IV, 1727.

Born in Virginia, ———, 1678,
Died in Virginia, November, 1749.

HOUSE OF BURGESSES.

1624

EASTERN SHORE.

(Hening I, 121-129.)

Captain John Willcox,
Henry Watkins.

1629

“For the Eastern Shore noe burgesses did appear.”
(Hening I, 137-139.)

1629-30.

ACCOMAC.

(Hening I, 147-149.)

Capt. Thos. Graves,
Edmund Scarburgh (1),
Obedience Robins,
Henry Bagwell.

1631-2.

ACCOMAC.

(Hening I, 153.)

Edmund Scarburgh,
John Howe.

1632.

ACCOMAC.

(Hening I, 178-179.)

Capt. Thos. Graves,
John Howe,
Henry Bagwell,
Charles Harmer.

1632-3.

ACCOMAC.

(Hening I, 202-203.)

Captain Edmund Scarburgh (1),
John Howe,
Roger Saunders,
John Wilkinson.

1639.

ACCOMAC.

(Va. Col. Reg. 60.)

Obedience Robins,
John Neale.

1641.

ACCOMAC.

(Va. Col. Reg. 61.)

John Wilkins,
John Neale.

1642.

NORTHAMPTON.

(Hening I, 236.)

Obedience Robins,
John Neale.

1642-3.

NORTHAMPTON.

(Hening I, 239.)

Philip Taylor,
Edmund Scarburgh (II).

1644.

NORTHAMPTON.

(Hening I, 283.)

Obedience Robins,
Edward Douglas.

1644-5. *NORTHAMPTON.*
(Hening I, 289.)

Edmund Scarburgh (II),
Stephen Charlton.

1645. *NORTHAMPTON.*
(Hening I, 298, 299.)

Edmund Scarburgh, Speaker,
Thos. Johnson.

1645-46. *NORTHAMPTON.*
(Hening L, 309-323.)

Probably same as 1645.

1646. *NORTHAMPTON.*
(Hening I, 322-323.)

Edward Douglas,
Thos. Johnson.

1647. *NORTHAMPTON.*
(Hening I, 339-340.)

Edmund Scarburgh (II),
Stephen Charlton.

1652. *April.* *NORTHAMPTON.*
(Hening I, 369-371.)

Obedience Robins,
Edmund Scarburgh (II),
Thos. Johnson,
Wm. Jones,
Anthony Hoskins.

1652. *Nov.* *NORTHAMPTON.*
(Hening I, 373-374.)

Lieut. Col. Obedience Robins,
Stephen Charlton.

1653. *NORTHAMPTON.*
(Hening L, 379.)

Capt. Thomas Johnson,
Wm. Mellin,
Stephen Horsey.

1654. NORTHAMPTON.

(Hening I, 386-387.)

Peter Walker,
Wm. Waters,
Thos. Johnson.

1655-6. NORTHAMPTON.

(Hening I, 414-421-22, Va. Mag. of Hist. and Bio. Vol. 8,
388-9.)

Col. Edmund Scarburgh.

1657-8. NORTHAMPTON.

(Hening I, 429-432.)

William Kendall,
Wm. Mellings,
Capt. Wm. Mitchell,
Randall Revell,
John Willcox.

1658-9. NORTHAMPTON.

(Hening I, 506-507.)

John Stringer,
Wm. Jones.

1659-60. NORTHAMPTON.

(Hening L, 527-530.)

Col. Edmund Scarburgh,
Maj. Wm. Waters,
Lieut. Coll. John Stringer.

1661-1676. NORTHAMPTON.

(Session Sept. 1663.)

(Hening II, 196-197.)

Lieut. Col. Wm. Kendall,
Maj. Wm. Andrews.

ACCOMAC.

Devoreux Browne,
Hugh Yeo.

Session Oct. 1666. NORTHAMPTON.

(Hening II, 249-250.)

Lieut. Col. Wm. Kendall,
Capt. Geo. Swavage (Savage).

ACCOMAC.

Col. Edmund Scarburgh,
Hugh Yeo.

1678-86. *NORTHAMPTON.*
(Va. Col. Reg. 84.)

Col. Wm. Kendall, Speaker.

ACCOMAC.

Capt. John Custis.

1688. *NORTHAMPTON.*
(Va. Col. Reg. 86.)

Thos. Harmanson,
Wm. Kendall.

ACCOMAC.

Chas. Scarburgh,
Wm. Anderson.

1692-93. *NORTHAMPTON.*
(Va. Col. Reg. 87.)

Capt. John Custis,
Capt. W. Kendall.

ACCOMAC.

Maj. Richard Bayley,
Samuel Sandford.

1696-7. *NORTHAMPTON.*
(Va. Col. Reg. 91.)

John Custis,
Wm. Waters, Sheriff.

ACCOMAC.

John Washburn,
Richard Bayley.

A DEED DRAWN UP BY JOHN CUSTIS IV AND
HIS WIFE FRANCES PARKE

ARTICLES OF AGREEMENT BETWIXT MR. JOHN CUSTIS AND
His WIFE

“WHEREAS some differences and Quarrels have arisen betwixt Mr. John Custis & Frances his wife concerning some money, Plate and other things taken from him by the sd frances and a more plentiful maintenance for her. Now to the end and all animostys and unkindness may cease and a perfect love and friendship may be renewed betwixt them they have mutually agreed upon the following articles this — day of June anno Domi 1714:

“1st. First it is agreed that the sd Frances shall return to the sd John all the money, Plate and other things whatsoever that she hath taken from him or removed out of the house upon oath and be obliged never to take away by herself or any other, anything of value from him again or dispose of anything of value out of the family without his consent, nor sell, give away or run him in debt without his consent, upon the condition that the plate and damaske linen shall not be given or disposed of by the aforesaid John from the said during her life, and the said John doth covent. sd plate & linnen to be delivered by the said frances to ye said John shall be given to the children of the said John by the said Frances immediately after her decease.

“2nd. That Frances shall henceforth for bear to call him ye sd John any vile names or give him any ill language, neither shall he give her any but to live lovingly together and to behave themselves to each other as a good husband & good wife ought to doe. And that she shall not intermeddle with his affairs but that all business belonging to the husband’s management shall be solely transacted by him, neither shall he intermeddle in her domestique affairs but that all business properly belonging to the management of the wife shall be solely transacted by her.

“3rd. That the sd John shall pay all the debts he hath already contracted out of the debts now due to the Estate

and the money he hath received if there will be sufficient to pay them: and that he shall enter into Bond to Philip Ludwell in the sum of one thousand pounds that from henceforward he shall keep true and perfect accounts of all the profitts and disbursements of his whole estate in any part of Virginia that he is now possessed of, and alsoe of all the estate he shall at any time hereafter by her means be possessed of in any part of the world, and shall produce the same accounts yearly if it be required upon oath. And that all debts hereafter necessarily accruing for buying claothes, tools and all the necessary for servants and plantations, paying leavys and Quitt-rents & making repairs of his whole estate and alsoe all other necessary charges acrowing for the use & benefitt of the estate which is to descend to the child of ye sd Frances are deducted and paid he shall freely & without grudging allow one full moiety or half of all the clear produce of his whole estate as aforesaid annually to the said Frances for clothing herself and her children with a reasonable proportion thereof and the remainder to be all laid out in the education of the children & for furnishing and providing all things that are necessary for housekeeping (that are to be brought from England) and Physick soe long as the sd Frances shall live peace quietly with him, and that he shall allow for the maintenance and family one bushel of wheat for every week and a sufficient quantity of Indian Corn and as much flessch of all kinds as the stocks of Cattle, Sheep and hoggs of his whole estate will afforde without impairing them if so much shall be necessary, and sufficient quantity of Cyder and Brandy is so much be made on the plantations: Provided nothing herein contained shall be construed to debar the sd John of the free command and use of anything that shall be provided for housekeeping soe as he doth not sell any of it without her consent. Provided also that the condition of this bond be that if the sd Frances doe exceed the allowance herein exprest in these articles, run him in debt or break any of them the bond to be voyd and the allowance to cease.

“4th. That the sd John shall allow the sd Frances to keep in the house to do the necessary work in and about the

same servants she now hath vizt.: Jenny, Queen, Pompy & . . . or such others in their stead and also Billy boy or little Roger and Anthony or such another in his stead to send the garden, goe of errands or with the coach, catch horses and doe all other necessary works about the house, and if any of them dye ye sd John shall put others in thyr stead.

“5th. That ye sd John shall allow the sd Frances fifteen pounds of wool and fifteen pounds of fine dressed flax or fifteen pounds of wool in lieu thereof every year to spin for any use in the family shall think fit.

“6th. That the sd Frances shall have free liberty to give away twenty yards of Virginia cloth every year to charitable uses *if soe much remain after the servants are clothed.*

“7th. That the sd Frances shall have free liberty to keep a white servant if she shall think fitt out of the above allowance soe as the sd servant be alsoe subject to ye sd John.

“8th. And foreasmuch as the one-half of the clear produce of the tobacco being to be taken upon the sale of it and the Cloathing and other necessarys to be bought in England and that it will generally be at least twelve months before an account of sales can be had from thence and an invoyce sent thither, therefore for the supplying the present wants of the said Frances the children and the house in manner and for the use aforesaid, the said John shall allow to the said Frances fifty pounds in money if there shall be soe much left remaining of the debts now due to the estate and money now on hand after all the debts already contracted by him or her shall be paid as afores’d.

“9th. That ye ssd Frances shall render a true acc’t under oath to ye ssd John if he shall require it how ye sd fifty pounds and alsoe ye clear profits yearly are expended and laid out.”¹

¹We are indebted to Mr. G. C. Callahan, of Philadelphia, for a copy of this draft.

SIR THOMAS DALE

EXTRACTS FROM NORTHAMPTON RECORDS

“Whereas Sir Thomas Dale, Knight Marshall of Virginia hath payd in ready money to Sir Thomas Smith Knight Treasurer of Virginia the summe of three hundred seventy five pounds for his Adventures towards the sayd voyage. It is agreed that for the same hee the sayd Sir Thomas Dale his heirs, executors, Administrators or assigns shall have ratably according to his Adventures his full part of all such lands tenements and hereditaments, as shall from tyme to tyme bee there recovered planted and inhabited. Ans of such mynes and mineralls of gold, silver, and other metallis or treasure, pearls, precious stones, or any kind of wares or merchandizes, commodities or profits whatsoever which shall be obtayned or gotten in the said voyage according to the portion of money by him ymployed to that use, in as Ample manner as any other Adventurer therein shall receyve for the like summe.

“Written the twenty-seventh of February Anno Dom. 1610.

“EDWARD MAYOR.”

“Whereas the right honorable Sir Thomas Dale Knight Marshall of Virginia (being the first man of his ranke and degree that hath undertaken that charge and place) hath not only adventured his person in that service in tymes of greatest difficulty but has been at great charges both in furthering the action and furnishing himselfe. The Counsell of Virginia at their meeting on the xviiijth of this instant upon their special trust and confidence that as hee hath begunn so he will proceed and continue in advancing soe christian and noble an Action, have withe unanimous consent thought this:—That our consideration he now had of him, but such (as in future times) shal be by no means drawne into precedent upon any

occasion whatsoever—They therefore agreed that his person should be rated at the summe of seven hundred pounds and that hee, the said Sir Thomas Dale, his heyres, Executors, Administrators or Assigns shall have ratably (according to the sayd Some) his and their full share of all such lands, Tenements and hereditaments as shall from tyme to tyme be there recovered, planted and inhabited. And of such mynes and mineralls of Gold and Silver and other metallis or Treasures, pearls, precious stones, or any kinds of wares or merchandizes, commodities or profits whatsoever which shalbe obtayned or gotten in the said voyage in as ample manner as any other adventurer therein shall ratably receive for the like summe.

. “Written this xxvith of February Ano Domo. 161.

“EDWARD MAYOR.”

“This coppie agreeth with the originall under the seale of the Virginia Company, examyned the xiith day of October 1643 by us under written.

“Fra: Moses. Nory Public.

“Solo: Seabright. Nory Public.

HISTORICAL DOCUMENTS

[From 1682-1710]

VIRGINIA

BY HIS EXCELLENCIE. A PROCLAMATION

Whereas, many euill and ill-disposed persons, inhabitants of this colonie, contrary to their duety and allegiance to our Souereigne Lord the King, on the first day of May, in the 24th yeare of the reign of our Souereigne Lord the King, and since, tumultuously and mutinously assembled and gathered together, combineing, and presumeing to reform, this his Majesties Gouverment, by cvting vp and destroying all tobacco plants, and to perpetrate the same, in a traiterous and rebellious manner, with force and arms, entered the plantations of many of his Majesties good subjects of this colonie, resolving by open force a generall and totall destruction of all tobacco plants in this his Majesties dominion, to the hazarding the subverssion of the whole gouerment, and ruins and destruction of these his Majesties good subjects, if by Gods assistance, and the prudent care and conduct of the then Lieftenant Gouvernor and Councill, the mutiners had not been timely suppressed, for which treasons and rebellions against his Majesty, and this his goverment, some notorious actors haue been indicted, convicted, and condemned, and suffered such pains and punishments as for their treasons and rebellion they justly deserued. And whereas, I and the Councill are well satisfied, that many of his Majesties good subjects, were preuailed with, and se-

duced from their allegiance, by the specious (though false) pretences, of the designers and contrivers of those crimes, misdeeds, treasons, and rebellions: And hauering, since, by their dutifull demeanor, manifested themselves sencible of the notoriousness of their crimes, and how lyeable they are to answer for the same according to Law, and those apprehensions lyeing heauie on the spirrits of many his Majesties seduced subjects, which being taken into serious consideration.

I therefore, Tho. Lord Culpeper, Barron of Thorsway, his Majesties Lieftenant and Gouvernor Generall of Virginia, out of pittty and compassion to his Majesties seduced subjects, and for the setling and composeing of their disturbed minds, haue thought fitt, and in his Majesties name, by and with the advice of the Couuncell, by this proclamation, doe publish and declare, that all and every person and persons, whatsoever, his Majesties subjects of this colonie, who haue ingaged with, or adhered to the said traiterous rebellious plant cutters and plant destroyers, in the yeare of our Lord 1682, first taking the oath of obedience mentioned in the act of Parliament, made in England, in the third yeare of the reign of his Majesties Royall Grand Father, before two if his Majesties justices of the peace, whereof one to be of the quorum; or in open Court; shall be and hereby are pardoned and forgiuen, all the treasons, rebellions, crimes, and misdeeds, by him or them, acted, done, committed, or concealed in relation to the said plant destroying and disturbance of his Majesties gouernment as aforesaid, and shall be free from all punishments, and forfeitures for, or by reason of the same.

Except Richard Bayley, late convicted and condemned for the same; John Hayley, Henry Ismon, and John Wise, who

are fled, not dareing to abide their legall tryalls. As alsoe Robert Beverley, John Sackler and Thomas Amies.

And to the end all his Majesties subjects, in this dominion, may have notice thereof, I doe in his Majesties name require and comand, all sheriffs in their respective counties, to publish and make known this proclamation, at the Court House, and in all other publique places of the said counties: As likewise all ministers, in their respectiue parishes, to the intent none may pretend ignorance thereof. Giuen vnder my hand and the seals of the colonie, this 22d day of May, 1683. Annoq. R. R. Caroli, 2d. Angliae, y'e. 35th.

God saue the King.

THO. CULPEPER.¹

¹Hening's Statutes, Vol. III, pp. 563, 564.

ABSTRACTS FROM VIRGINIA LAND PATENTS

PUBLISHED IN VIRGINIA MAGAZINE OF HISTORY AND BIOGRAPHY

John Neale, 500 acres in Accomack, upon Smith's Island, abutting against his land in the main. Due for the transportation of ten persons (names below). By West, June 18, 1636.

John Hendrye, James Hutchinson, Henry Warner, Richard Harris, Peter Waneford, Anthony Stersby, Richard Graves, Robert Stackhouse, Thomas Sadler, Thomas Mitchell.

William Mellings, 100 acres in the county of Accomack at the head of Old Plantation Creek. Due: 50 for his personal adventure, and 50 by assignment from William Morton, to whom due for his own personal adventure. By West, June 20, 1636.

There was recorded in Accomack the deposition, dated June 9, 1638, of William Melling, Gent. "He was a member of the House of Burgesses from Northampton, July 1653, and March 1657-8. Soon after this he returned to England. There is a notice, June 28, 1661, in the Northampton Records of William Melling, late of Virginia, now resident in London, Gentlemen."

James Berry, 350 acres in Accomack, at Mogatie Bay, adjoining the land of John Alcone. Due: 50 for his personal adventure, 50 for the personal adventure of his wife, Elizabeth, and 250 for the transportation of five persons, Henry Lee, Mary Nelson, Joseph Hally, Mary Nablett, Robert Man. By West, July 20, 1636.

John Forbush, 100 acres in Accomack, on the bay. Due for the transportation of two persons, John Lewis and Christopher Dixon. By West, June 20, 1636.

Thomas Smith, 150 acres in Accomack, on Fishing Point Neck, near the land of William Berryman, and bounded by the creek which parteth Henry Bagwell's land from said neck. Due: 50 for his personal adventure, 50 for the personal adventure of his wife Sarah, and 50 for the personal adventure of his daughter Ann. By West, June 24, 1636.

William Bibby, 400 acres in Accomack on the north side of King's Creek, and adjoining on the west the land of Capt. Epps. Due: 50 for his own personal adventure, 50 for the personal adventure of his wife, Mary, and 300 for the transportation of six persons: John Leech, Christopher Colvert, William Stephen, Archibald Richard, John Fitz Garrall, Ann Gedon. By West, June 24, 1636.

James Knott, of Accomack, planter, who is desirous to keep a house of entertainment at the mouth of Hampton river in Elizabeth City County "whereby strangers and others may be well accommodated with great ease to the inhabitants in those parts," is granted 50 acres at

the mouth of Hampton River, bounded southerly by a Creek which parteth the same from the land of Captain Francis West, and northerly upon the Glebe Land, together with the house, "commonly called the great howse," and all other houses, &c., thereon. By Harvey, March 12th, 1632.

Francis Stockley, 50 acres in the County of Accomack at Old Plantation Creek, adjoining the land of Henry Williams. Due for the transportation of one servant, Francis Jarvis. By West, Dec. 22, 1636.

Henry Wilson, 50 acres in the county of Accomack, on Old Plantation Creek and adjoining the lands of Wm. Blower and Francis Stockley. Due for the transportation of one servant, Jasper Melton. By West, December 23, 1636.

John Neale, merchant, 1,500 acres in the County of Accomack, beginning at a long point on the Seaboard side, and abutting northeast upon (opposite) Smith's Island. Due for the transportation of thirty persons (names not given). By Harvey, June 18, 1636.

Edmund Scarburgh, 200 acres in the county of Accomack, on Magaty Bay. Due: 50 acres for the personal adventure of his late father, Captain Edmund Scarburgh, and 50 for the personal adventure of his mother, Hannah Scarburgh, 50 for his own personal adventure, and 50 for the transportation of a servant, Robert Butler. By Harvey, May 18, 1637.

William Cotton, 350 acres in the main branches of Hungar's Creek (now Northampton County), and adjoining the land of Captain William Stone. Due as follows (vizt): 100 for the personal adventure of himself and his wife, Ann Graves, and 250 acres for the transportation of five persons (names below). By Harvey, July 10, 1637.

William Cotton, Ann Graves, Eleanor Hill, Richard Hill, Edward Esson, and Domingo and Samso, negroes.

Thomas Savadge, carpenter, 100 acres on Old Plantation Creek, at Accomacke, abutting westerly on the land granted Roger Saunders, and thence east towards a creek called the Second Creek. By Harvey, March 14th, 1632.

(NOTE.)

It appears from the records of Accomack that there were at this time two persons named Savage living in the county, viz: Ensign Thos. Savage, and Thos. Savage, carpenter.

Nicholas Harwood, cooper, lease of 50 acres on the eastern shore in the county of Accomack, adjoining the land granted to William Blore (now in the tenure of William Burdett), being the land granted to Roger Saunders, deceased, in 1628, and assigned to said Harwood by George Traveller. Confirmed by Harvey, Oct. 20th 1634.

William Berriman, 150 acres in the county of Accomack, on the Old Plantation Creek, adjoining the land of Henry Careleys, called by the name of "fishing poynt neck," and bordering on the creek that parts the land of Henry Bagnell from the said neck—due 50 acres for his personal adventure, and 100 for the transportation of two servants, John Causey and Edward Prince. By West, Aug. 6, 1635.

(NOTE.)

In December, 1633, William Berriman was a church warden in Accomack. On July 9, 1634, he stated in a deposition that he was aged thirty-three years. In May, 1639, he was one of three persons recommended for Sheriff. (Accomack Records.)

Nicholas Hoskins, of Accomack, yeoman (lease), 20 acres. By Yeardley, Feb. 1st, 1626.

(NOTE.)

Nicholas Hoskins, born 1589, came to Virginia in 1616. His wife Temperance came in 1620. In 1624 they had a daughter Margaret, born in Virginia (Hotten).

Robert Browne, of Accomack, planter (lease), 20 acres adjoining the land belonging to the place of Secretary, at Accomack. By F. West, Sept. 26th, 1628.

Clement Dilke, of Accomack, gent., a lease of 20 acres belonging to the late Company, lying at Accomack, westerly upon the main creek, easterly upon the ground now in occupation of Thomas Powell, Fiskins; the said 20 acres being lately in the occupation of Captain John Wilcocks. Granted by Sir George Yeardley, February 6, 1626.

Roger Saunders, of Accomack, mariner (lease), for ten years, 50 acres adjoining the land of John Belore, deceased, now in the possession of said Saunders, and extending westerly on the waterside to the land of Captain Henry Flette. March 14, 1628. By John Pott.

Roger Saunders was commissioner (justice) of Accomac, 1631, and member of the House of Burgesses, 1631-2. It appears from the county records that he died prior to February, 1633, and his widow seems to have married Wm. Burdett, of Accomac.

William Smith, of Accomac, planter, lease, 100 acres in Accomac, bounding southerly on the land of John Falwood, and extending westerly on Chesapeake Bay. October 15, 1629. By John Pott.

(NOTE.)

The will of William Smith, of Accomac, was dated April 23d, 1636, and proved September, 1636. He requests that Mr. Cotton make his funeral sermon, and receive for it 100 lbs. tobacco; and that 50 lbs. be paid Garrett Andrews (carpenter) for making his coffin; the legatees are: Francis Millisent, Eliz. Harlowe, daughter of John Harlowe, his servant Daniel Pighles, who is to be given a year of his time and all of the testator's clothes. Appoints friends Nicholas Harwood and Walter Scott executors. Leaves small estate.

John Howe, of Accomacke, gentleman (lease for ten years), 30 acres adjoining the land of Captain Clement Dilke, and the land belonging to the place of Secretary. September 20, 1628. By F. West.

(NOTES.)

John Howe was a commissioner (justice) of Accomac in 1631, and member of the House of Burgesses for the same county in 1632 and

1632-3. Captain Daniel Howe, of Northampton County, was alive, 1653. It appears from the county records that John Howe was a Commissioner of Accomac from 1632 until his death, Commander-in-chief of the county from July, 1637. In a deposition, January, 1636, he states his age as 43, and he was dead before Jan. 2d, 1647, when the Court made an order to his administrators.

From the manuscript records of the London Company, recently recovered by the Virginia Historical Society, it appears that, Nov. 20th, 1622, a patent for land in Virginia was granted to "Mr. Dilke, of Clements Inn, Middlesex, Gentleman." See Historical Society Magazine, Vol. I, p. 443, for a note on Clement Dilke.

William Andrews, of Accomack, planter (as his first dividend), 100 acres on the Eastern Shore of the "Bay of Chesapeake," abutting northerly on Captain William Epes' land, and extending towards the persimmon ponds. Due for the transportation of Robert Owles and John Holmes, who came in the Southampton in 1622, at the charges of William Ferrar, Esq., who made over the rights to said Andrews. Granted by John Pott, March 14, 1628.

(NOTE.)

Major William Andrews was a justice of Northampton county 1640 to 1655, and by his will, dated February 20, 1654, and proved, Northampton County, Feb. 30, 1655, bequeathed his estate to his wife, Mary, sons, William, John, Robert, and Andrew, daughter Susannah, and granddaughters, Elisheba and Elizabeth Andrews, children of William Andrews. On February 19, 1659, William Smart, John Stringer, William Andrews, and Thomas Harmanson gave bond in Northampton as security to care properly for the persons and estates of the children of Lieutenant-Colonel William Andrews.

Daniel Cugley, 400 acres in Accomack County, commonly called "the hog pen necke," due for the transportation of eight persons (whose names appear below). By West, June 25th, 1635.

Pascall Crocker, Peter Varlow, Thos. Dyner, Georg Kuckin, Thos. Peake, John Champion, Leonard Lwonarde, John Dennis.

(NOTE.)

Daniel Cugley married Hannah, widow of Ensign Thomas Savage. In 1630 he was sentenced to be pilloned for "scandalous speeches" against the Governor, but was pardoned.

Charles Harmar, 1,050 acres (on the Eastern Shore) bounded on the west by the shore of the main bay, on the south by Old Plantation Creek, &c., due for the personal adventure of himself and his wife, Ann Harmar, and for the transportation of 19 servants (names below). By Governor West, July 3, 1635.

Head rights: Charles Harmar, Anne Harmar, his wife, Evan Jones, Thomas Cole, James Courtney, Lazarus Manning, Thomas Davis, Rich'd Wryth, Jon. Symon, Rich'd Newton, Samuel Lucas, Eliz. Burnett, Rebecca Slaughter, and eight negroes named Alexander, Anthony, John Sebastian, Polonoa, Jane, Palatia, Cassanga.

This patent was renewed by Richard Kemp, Esq., Governor, in the name of Elizabeth Harmar, daughter of said Charles Harmar, and 150 acres added by patent September 17, 1644.

"Teste

SAMLL ABBOTT, Clr."

Captain Thomas Graves, ancient planter (as his first dividend), 200 acres on the Eastern Shore of the "Bay of Chesepeike," abutting southerly on the land of Captain Henry Fleet. Said land due by virtue of an adventure of five and twenty pounds, paid by the said Graves to Sir Thomas Smith, late Treasurer of the Company of Virginia. Granted by John Pott, March 14th, 1628.

NOTES TAKEN FROM VIRGINIA MAGAZINE OF HISTORY AND BIOGRAPHY CONCERNING SETTLERS

Charles Harmar, also written Harmer and Harman, was the son of John Harman, Warden of Winchester. He was an enterprising planter at Magothy Bay on the Eastern Shore, and a prominent man. When only twenty-four years of age, he came, in 1632, in the ship "Futherance" to Virginia. His brother John, born at Chursdon, Gloucestershire, was a graduate of Magdalene College, Oxford, and a distinguished scholar and clergyman, having translated into Greek and Latin the Westminster Catechism. In 1635, he delivered an address at Oxford, was chosen Greek Professor, but lost the professorship, after the return of Charles the Second.

Charles Harmar, in 1635, entered land because of the transportation of eight negroes, and the following white servants: Evan Jones, Thomas Cole, James Courtney, Lazarus Manning, Thomas Davis, Richard Wyett, John Symons, Richard Newton, Elizabeth Burnett, Rebecca Slaughter, Mary Chest. He died before A. D. 1644, as 150 acres were granted on the 17th of September of this year to Eliza, daughter and heir to said Charles Harmar, and on May 1, 1654, this land was assigned by Thomas Harmar the son of Dr. John, the Greek Professor, who calls himself the heir of Eliza Harmar, to Nathaniel Littleton.

In the Northampton County Records the widow of Charles Harmar is said to have married a Captain Littleton.

(*Obedience Robins*, born A. D. 1601, was with Charles Harmar, a member in 1632, of the first County Court of

Accomac, and was a brother of Richard of Northamptonshire, and of Edward a merchant in Accomac. His name and associations seem to indicate that he was of Puritan affinities. His wife was the widow of Edward Waters, one of the two shipwrecked persons, who, in 1610, refused to leave the Bermudas, with Sir Thomas Gates and Sir Geo. Somers, being pleased with the island. In 1618, the ship "Diana" arrived at the Bermudas and among the passengers was Grace O'Neill, then a girl sixteen years old. She became the wife of Waters, and they then moved to Elizabeth City, now Hampton, Virginia, where their first child, William, was born, who became an active citizen of Northampton County. Before A. D. 1628, Edward Waters died, and his widow married Obedience Robins. In February, 1633, William Cotton, minister of the parish, complained to the Accomac Court, that Robins had refused to issue warrants for the minister's tithes.)

/ *Edward Robins*, merchant in Accomac and brother of Obedience, died in July, 1641, and his daughter Rachel married Richard Beard, and Elizabeth became the wife of William Burgess. After William Stone of Northampton became its first Protestant Governor, Beard and Burgess moved to Maryland. Beard made the first map of Annapolis and belonged to the people "in scorn called Quakers," and Burgess was in sympathy with Cromwellians, at least, for a period. Jane, the wife of George Puddington a member of the Maryland Assembly, from Ann Arundel County, in 1650, was a sister-in-law of Obedience Robins. Mountjoy Evelin, the second son of George, formerly of Kent Island, Maryland, married in 1653, Dorothy the third child of Obedience and Grace Robins.

William Andrews, Jr., was elected sheriff of Northampton by the Council of State, April 3, 1655, and was a member of the House of Burgesses for Northampton in 1663. In 1656, it appears from an entry in the Northampton Records, that Mr. William Smart had married the widow of "Mr. William Andrews." Whether this referred to the father or son, the writer has no information. William Andrews, Jr., married Dorothea, widow of Mountjoy Evelyn, and daughter of Colonel Obedience Robins, of Cherrystone.

Captain Francis Pott was a Justice of Northampton, and of the quorum, March, 1656. In 1646, he was in England, and in a letter dated at London, March 26th of that year (and recorded in Northampton County), he tells his nephew, John Pott, that he had been disappointed in collecting money promised him by Mr. Nuthall; that "my cozen, Menefie, hath paid 116 lbs. sterling for me," and his nephew is to satisfy the debt out of any of his (Francis Pott's) property, except his negroes; he may expect from him a more ample direction by the next shipping; in postscript says he received four more from Mrs. Menifye. He died in 1658, and by his will, dated August 5th, and proved in Northampton, October 11th, 1658, he leaves his property to his nephew, John Pott, Kinsmen Henry Perry and wife; godson Argoll Yardly; godson Bishop "on the other side of the bay"; "My Countriman" John Allen; to his (the testator's) sisters, 10 sterling each. Susanna, widow of Captain Pott, married in 1658, or 1659, William Kendall.

There is recorded in Northampton a power of attorney, dated October 1st, 1660, from John Pott, of Patuxent, Maryland, to John Severne, of Accomac.

John Neale appears, from the Accomac records, to have lived on the Eastern Shore, and done a large business as a

merchant between 1632 and 1639; in 1636 he makes a deposition, and states he was then aged about forty years; was a vestryman May, 1636; recommended for appointment as sheriff in 1636 and 1639; elected a Burgess on October 21st, 1639, and was a commissioner (justice) in the same year.

On September 25, 1637, William Bibby is spoken of in the Accomac records as recently dead.

Captain William Epps, Mrs. Epps, Peter and William Epps were living on the Eastern Shore in 1623. In the census of 1624-5 the "muster" of Captain William Epps is given. It included himself, who came in the ship "William and Thomas"; Margaret Epps, who came in the "George" in 1621, and thirteen servants. About 1619 Captain William Epps killed "in a private quarrel," Captain Stallinge. There is among the Accomack Records (at Northampton C. H.) a power of attorney for William Epes, of the Island of St. Christopher's Esq., to William Stone, in regard to Epes' property on the Eastern Shore of Virginia. It is dated July 18, 1633.

ABSTRACTS FROM ACCOMAC COUNTY RECORDS, RELATING TO BACON'S REBELLION

From a great number of similar items the following are extracted:

“Att a Court held for Accomac County July, 1677, it is ordered upon the peticon of John Sturges that a certificate be awarded him to the next assembly for fforty-six pounds of Butter and fforty-two pounds of Cheese, which was delivered for the countries service against the late rebels, as appears by the attestation of Majr Jno. West.”

“Whereas Majr Edmund Bowman hath made it appeare to the court by ye attestation of Major Jno. West, that he had killed and founde salt and caske for thirteen hundred and twelve pounds of Beefe. It is, therefore, ordered that this be a certificate thereof to the next assembly.”

“It is ordered upon the peticon of Majr Jno. West for the sume of twelve thousand two hundred and fifty pounds of tobo and cask, for the public service against the lare rebels, and he having made oath to the same in open court, certificate thereof is accordingly granted him to the next assembly.”

“Whereas Mr. John Stratton hath made it appeare to this court by the oath of Capn Nath: Walker that hee the sd Walker did command a shallop belonging to the sd Stratton by the honorable govers, order in his majesties service against the late rebels; which shallop was cast

away in a storm in Warricks creek bay: It is, therefore, ordered that this be a certificate thereof to the next Assembly."

"These may certify that I, the subscriber, whom (sic) are impowered by the right honble Sir Wm. Berkeley Govr, and Capn general of Virginia to procure and impress such provisions as shall be needful for his present service.

"These may certify that I have killed from Morris Dennis one Barren Cow for which I give this certificate.

"JOHN STRATTON, Commissary."

"At a court held and continued for Accomack County, September 14, 1677, upon the peticon of Majr Jno. West in behalfe of himself and fforty-ffour men, which were thirty-ffour daies under the command of the Governr Sir Wm. Berkeley in his Majties service to James Citty, and having made oath to the same in open court, certificate thereof is accordingly granted to ye next assembly."

"Ye humble peticon of Jno. Cropper:

"To ye Worful court of Accomack county showeth that your peticonr being commanded and empowered by Coll. Southey Littleton, to impresse and provide Beeffe for the countries use in qtr. anno 1676, ye peticonr with his horse, &c., was employed and expended time to the number of fforty-two daies or thereabout, which time, trouble, and service hath not bin got paid, or any part thereof, except two hides and offell, he made use of Mr. Richd Bayly; ye peticonr doth pray ye worshps order for certificate to the Assembly to have satisfaction for sd time and trouble according to nature thereof, and he will pray, &c."

An entry made at the next term of the court shows that Captain Daniel Jenifer, in addition to his office of justice

of the peace, was still further rewarded by being appointed high sheriff of Accomac county by Sir William Berkeley, and as Jenifer was a Catholic, the governor directed that in assuming the duties of the offices to which he had appointed him, he should not be required to take the oath of supremacy, which was accordingly done. He was also, together with Colonel Southey Littleton, of Berkeley's Court martial, for trying persons for participation in the Rebellion.¹

Jenifer married Miss Annie Toft, who was reputed to have been the wealthiest and prettiest woman then living on the Eastern Shore of Virginia. They had a numerous family of children, among whom were three daughters named, Arcadia, Annabella and Atalanta. Soon after the retirement and death of Sir William Berkeley, Captain Jenifer removed from Accomac to the Eastern Shore of Maryland, where many of his descendants are said to be now living. He was the first of that name to come to America, and was the progenitor of Daniel Jenifer of St. Thomas, who was one of the Delegates from Maryland to the convention that framed the Federal Constitution.

Berkeley's endorsement on the following petition shows that the Rebellion had not entirely transformed him into a brute:

"To the Right Honorable S'r Wm. Berkeley, Knt., Gov'r & Capt. Gener'll of Virginia:

"The humble peticon of Ione Occahone, the widow of Phillip Occahone, late of Accomack County, dec'd, Humbly Sleweth: That Phillip aforementioned marry ye peticonr with a good and reasonable estate left by her former husband, of Watt's Island, in the aforesaid county, by name Walter Taylor, did in his lifetime wholly waste and conferred the

¹Hening, Vol. II, p. 545.

same moreover and about, running himself farr into debt to the utter ruine of ye peticonr and her poore childring

"Howsoe it is, may it please ye Honourble the sd Phillip for his felonious and rebellious account having justly suffered death by the law, whereby what estate he should be possest withal at the committing the fact or any time sithence invested or possest wth any visible estate whatsoever, yet notwithstanding, ye poore peticonr is prosecuted and sued by the creditors of the sd Phillip to the ruine of herselfe and poore children.

"The premises considered, ye paticonr doth humbly pray and implore ye Honourbles favorable clemency in requiring and commanding all persons whatsoever to desist and forbear to sue or molest ye petr for any debt whatsoever contracted in the lifetime of the aforesaid Phillip Occahone, her late and dec'd husband, and ye poore petr shall as in duty bound ever pray."

The petition is recorded with the following endorsement:

"The aforesaid petition is granted, and I doe hereby forbid all persons from suing or molesting the aforesaid Ione Occahone in the prosecuting and recovery of any debt contracted during the lifetime of the sd Phillip Occahone, as they will answer the contrary.

"Dated this 11th day of January, 1676-7.

"WM. BERKELEY."

"The Right Honourable the Governr further declared at the signing hercof that the aforesaid Petr Ione Occahone should freely enjoy all such estate as is in her possession to her own proper use, which I can testify upon oath when thereunto required.

"Witness my hand the day and year aforesaid.

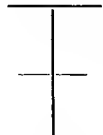
"DANIEL JENIFER."

TWO CURIOUS WILLS FROM NORTHAMPTON COUNTY RECORDS

"Iff itt please God I do dye, my debts being discharged, what debts remayne I give to Goodman Ffisher, and hee to see me layd in the ground like a man.

"The mark of William

 Briar.

"The mark of

 "J. Wilkinson.

"The mark of

 "James Cranne.

"27 Oct. 1639."

"In the name of God, Amen, the 23th of April, 1636, I, William Smith, of Acchawmacke, in Virginia, planter, being at this present, blessed be God, sicke and weake in body, but sound and perfit in mynd and memory, doe institute, ordayne and make this my last Will and Testament, vigt.: Ffirst, I bequeath my soule unto the hands of Almighty God, my Maker, who gave it to me, and my bodye to the grave from whence it came, being assuredly persuaded of a joyful resurrection.

"Imps, I doe give and bequeath to the Church use One hundred pounds of tobacco. Item. My will is that Mr. Cotton shall make my funeral sermon, and he to have for the same 100 pounds of tobacco.

"Item. That Garrett Andrewes, iff he be please to make my coffin, shall have for the same 50 pounds of tobacco, or anie other that shall make it of the best.

"Ite. I give and bequeath to Francis Millisent one of the best shoates and a small Iron pott.

"Ite. I will and bequeath to Elizabeth Harlowe, daughter of John Harlowe, the best sow there is undisposed of, which is the great sow bought of Mr. Wilson.

"Ite. I doe give freely unto my servant, Daniel Pighles, one complete year of his time, and one of the best sow shoates.

"Ite. I doe give and bequeath unto Alexr Wignall one hundred pounds of tobacco.

"Ite. My will is that my servant Daniel shall have all my wearing cloathes, both Wolling and Linning and my peece, shotte bag and Horne.

"Ite. I doe institute, ordayne and make Nicholas Harwood & Walter Scott my true & Lawful Executors of this my last Will and Testament, and they equally to have and enjoye, Debts and legacies being payd and discharged, my whole Estate. In witness hereof, I, the syd William Smith, have hereunto set my hand and seale the daye and year above written.

(Signed) "WILLIAM W. SMITH."

"Ysence:

"DANIEL PIGHLES,

"ALEX'R WIGNALL."

TRANSLATION OF CERTAIN INDIAN NAMES FOUND IN ACCOMACK AND NORTHAMP- TON COUNTIES, AND ON THE EAST- ERN SHORE OF MARYLAND

ACCOMACK: 'The other-side place,' or 'on the other side of water place' (Trumbull); 'the other shore' (Wm. Jones.)

ACCOHANOC: Probably from Virginia Algonquian *akahnok*, 'people of the bending (curving) stream' (Gerard).

CHESCONESSEX: Place of the Blue Birds.

CHESAPEAKE: Virginia Algonquian *K'tchisupiak* 'people of the great saline water' (Gerard).

CHINCOTEAGUE: *Chingua-tegwe*, 'large stream,' 'inlet' (Hewitt).

CHOPTANK: Probably for Nanticoke *tshapetank*, a 'stream that separates' or 'divides.' (Gerard.)

CUSCARAWAOC: 'Place of making white beads.' (Tooker.)

KICOKTANK: 'Visiting Place.'

MATTAPONY: 'Bad bread' or 'no bread at all' (Heckewelder).

MATOMKIN: *MATTEMIKIN*, 'to enter into a house.' (Heckewelder.)

MATCHATEAGUE: Probably the same as Matchotic, 'bad bay' or 'inlet' (Hewitt).

MATTAWAN: or MATTAWAMAN: 'River of shallows' (Hewitt). Meaning as applied to the Indians living on Mattawan River, Ontario.

MATOAKS (Matoak?): A misspelt form of Matoaka, 'to play,' 'to amuse oneself' (Gerard).

MACHAPUNGA: 'Bad dust'; from '*matchi*' 'bad,' *pungo* 'dust' (Heckewelder); or perhaps 'much dust,' from *massa* 'great', in allusion to the sandy soil of the district (Mooney).

NANTICOKE: From *Nentego*, variant of Delaware *Uneshtgo*, *Unalachtgo*, 'Tidewater people' (Mooney).

OANANCOCK: A corruption of *auwannaku*, 'foggy, (Heckewelder).

PUNGOTEAGUE: From *pungotekw*, 'sand-fly river' (Gerard).

POCAHONTAS: Pocahontas, for Pokahantesu, a verbal adjective meaning 'he (or she) is playful,' 'sportive,'. Her real name was Matoaka (Matowaka), a word found also in the misspelled form of Matoka and Matoaks. The sole Algonquian root from which the name can be derived is *metaw*, 'to play,' 'to amuse one's self.' (Gerard.)

POCOMOKE: Pocqueumoke, 'place of shell fish, clams, etc.' (Heckewelder). Also 'knobby place.'

PATUEXENT: 'Little Falls.' (Hendren).

POTOMAC: The word Patomeck (*Patomek*) is a verbal noun meaning 'something brought,' and, as a designation for a place, may perhaps be short for, say, *Enda Patomek*, 'where something is brought' (Gerard). Heckewelder gives the meaning as 'they come by water.'

POWHATAN: Virginia Algonquian *Pawa tan*, 'falls in a current' of water (Gerard).

QUANTICO: Quentico, *Gentica* or *Kentika*, 'a dancing, frolicking place' (Heckewelder).

WICOCOMOCO: Meaning unknown, but the last part, *comoco*, is the Powhatan designation, in composition, for a stockaded village (Gerard).

WIKOMOCO: 'Place where the houses are building.' (Hendren.)

A LIST OF TITHABLES IN NORTH'TON COUNTY, ANNO DOM., 1666

DELIVERED IN ATT A COURT HELD FOR THE S'D COUNTY THE
28TH OF AUGUST, 1666:¹

Thomas Dunton
Isaac Russell
Robt. Dunworth
Wm. Smith
John Dike
Daniel Jill—6

Jeasse Harman
Tho. Owen—2

Benjamin Cowdree
Josias Cowdree
Cornelius Harman—3

John Kendall
Owen Edmond
Geo. South
John Farrier
John Tromblings
Henry Newton
Owen Hall—7

Peter Lang
Cornelius George—2

James Sanders
Perse Davis
John Dalby—3

Henry Hall—1

John Dalby, Sen.
John Dalby, Jun.
John Seawell
Hen. Bowans
Richard Costinge—5

Lieft. Isaak Foxcroft
Phillip } Irishmen
Patrick }
Thomas Lucas
4 negroes—8

~~Richard Nottingham~~
Wm Ewin—2

Att the Widow Gunter's:
Richard Wildgoose
Tony—a Frenchman—2

Simon Foscus, Sen.
Simon Foscus, Jun.
Thomas Foscus
Mathew Patrick—4

Walter Mills—1

Arthur Armitradings
Isaac Jacob
Thomas Needy
John Dawson
Francis Broukes
Sliven Avis
Morgan Pouldin
Wm. Stevens
Henry Reade
Derick Derickson—10

Lawrence Schyn
Adryan Westerhouse
John Richards
Armstrong Foster—4

Mr. Thos. Evans
Mr. Haggaman—2

¹This list prepared by F. B. Robertson, Eastville, Va., from records in Clerk's Office.

John Cole
 John Field
 Robt. Twilly
 Wm. Rabishaw—4

Thomas Bagley—1

John Farris
 Clause—a Dutch boy—2

Will Gatehill
 John Evans—2

Nicholas Hudson—1

Edward Joyne—1

Wm. Gaskin
 Robt. Gaskin
 Robt. Butler
 Nath'l Starkey
 Nat—a negro—5

Samson Robins
 Rich'd Ridge—2

Amos Garriss—1

John Walter
 Jeremiah Walter—2

Will Morris—1

John Winborough, Sen.
 John Winborough, Jun.
 Frank Winborough—3

Capt Wm. Spencer
 Wm. Whittington
 Robt. Wiggin
 Wm. Scriven
 Jacob Hill
 Patrick Strelby
 Thomas Powell
 2 negroes—9

Mr. Wm. Westerhouse—1

Jas. Davis, Sen.
 Jas. Davis, Jun.
 Thomas Davis
 Stephen Lang
 Abraham Bownamy—5

Att Wilcox. Lambeth Groton—1

John Stockley
 John Bowin
 Thomas E. Smith—3

Robt. Foster
 Martin Saks—4
 Phillipp Jacob
 John Foster

Wm. Foster
 1 Servant—2

Walter Price
 John Clarke—2

Edw. Stevens
 Jno. Wilson—2

Jacob Bishopp
 Rich'd Bibbins—2

John Plumb—1

Thos. Church
 Sam'l Church—2

Thomas Parker
 John Hornby—2

Duncan Macnabb—1

John Basy—1

Robt. Harrison
 Robt. Hopkins—2

Abraham Sheppard—1

Edw. Cable—1

Will. Lawrence
 Thos. Berisford—2

Rich'd Duparke, Att Wibly's—1

Joseph Godwin
 Caesar Godwin—2

Abraham Heath—1

Capt. Will Joanes
 John Lukes
 John Bulluck
 Harman Johnson—4

John Lyons
 Thos. Collins—2

John Mapp
 Peter Watson—2

Wm. Marhsiall
 Will Jipshott—2

Wm. Hickman
 Joseph Huckman
 Thomas Rice—3

Mr. Thos. Rideinge
 Mr. Argall Yeardley
 Sam'l England
 Will Vaughanhom
 Hen. Matthew
 Griffin Morgan
 Tho. Rock
 Cataline—a negro—8

Abraham Vansoult—1

Nicholas Granger
 Thomas Wilson
 John Robins—3

Cannlus Pence—1

John Abbott—1

Phillipp Mongon } Negroes
 Mary Mongon } —2

Geo. West—1

Rich'd Ast
 Miles Growk
 Robt. Warbeton—3

Christopher Turner—1

Wm. Lyne
 Wm. Padgett—2

John Webb
 John Glassell
 Hen. Lartin
 Cornelius Areale
 Nan, negro woman—5

Capt. John Savage

John Amis
 Edw. Ashby
 Robt. Tygar
 Tempsey Betha
 Sidney Field—6

Francis Pettitt
 Justman Pettitt—2

Will. Kennitt—1

Thos. Dimmer
 Tho. Nabe—2

Rich'd Patrick
 John Denby—2

Richard Jester—1

Coll. John Stringer
 John Tatum
 Robt. Chew
 David Grim
 Richd. Curtisse
 Tho. Oxford—6

John Dorman
 Roger Kirkman—2

Att Miss Robins':
 John Margetts
 Rich'd Robins, Jun.
 John Symonds
 John Wooters
 John Archer—negro
 Tony—negro—7

Walter Mathews
 Andrew Smaw
 Wm. Savage—3

Mr. John Robins
 Tho. Parnell
 John King—negro
 3 negroes—6

Att M. Vosses':
 Thos. Loffing
 Nan—negro woman—2

John Francisco } Negroes
 Arishian, his wife } —2

Francis Jane, negro—1

 Manuel Drigg—negro—1

 Willis Saunders
 Daniel Keeth—2

 Maj. Wm. Andrews
 John Andrews
 John Pirce—3

 Geo. Isdell—1

~~Nicholas Howell~~
~~Dexmon Hardins~~
 Richard Williams—3

 Will. Smith
 Tho. Hennige—2

 Christopher Stanley—1

 Joseph Parkes
 Wm. Gilsty
 Wm. Smart
 Tho. Claydon—4

 Nath. Wilkins
 Rich. Cox
 George—negro man—3

 John Daniel
 James Bowden
 Wm. Edmonds
 Black Jack—negro—4

 Richard Hanby—1

~~Thomas Harmanson~~
~~Daniel Call~~
 Geo. Jenkins
 John Marainge
 Wm. Sharpe
 John Wills—at mill
 Nan—negro woman—7

 Tho. Blacklock—1

 Dennis Omalegon—1

 Harman Johnson
 John Maties—2

Lieft. Coll. Wm. Kendall
 Daniel Baker
 Geo. Morimer
 John Abraham
 John Parsons
 John Harris
 Jeter Morgan
 Morgan Thomas
 Geo. Massy
 Walter Mannington
 Mingo—negro
 Charles—negro
 Aron Franson
 Mathew Williams } Seamen
 } —14

 Mr. John Michael
 Ed. Lokitt
 Peter Fountaine
 John Aleworth
 Rowland Williams
 William Gray
 Anthony Joanes
 Antony, negro
 Banelo, negro
 Frank, negro
 Dennisse, negro
 Ann—negro—12

 Wm. Hamon } Negroes
 Jane Hamon } —2

 King Tony—negro—1

 John Wilkin
 John Floyd—2

 John Waterson
 Jacob Glassfield
 John Wilshire
 John Moore—4

 Will Starlinge
 Tho. Turnell
 Hen. Morgan
 John Willett—4

 Will Paule—1

~~Ellis Ap Hugh—1~~

 Thomas Swendel—1

 Bossaur—negro—1

James Walker
 Hen. Williams
 Richd. Jacklock—3

Mr. Tho. Hunt
 John Pollicome
 John Darnell
 Wm. Shore—4

John Bagwell—1

Thos. Bagwell—1

Capt. John Custis
 John Robinson
 Michael Stone
 Tho. Joanes
 Chas. Weissell
 Hen. Foreman
 Daniel Swindell
 Benjamin Perry
 George Lilly
 John Warppoll
 5 negroes—15

Robt. Haynes—1

Tenge Oderre—1

Matthew Trippin—1

Jeremia Robinson
 Robt. Smith
 Judith—negro—3

John Adolph
 Wm. Cord
 Jonas Dixon
 Derman Fox—4

Tho. Scott
 John Watts—2
 Bastian Cane—negro—1

Thomas Bell
 Tho. Coleman—2

Joseph Warren—1

Jerom Griffith—1

Mr. Thomas Harmar—1

Stephen Costin
 Benoni Ward—2

Thomas Clay—1

John Stevens—1

Geo. Willis—1

Thos. Hogg
 Abraham Collins—2

Att Mathew Gittinge's Constable:
 Walter Carter
 Jowell James
 John Forthery—3

Francis Harper—1

Geo. Frizzell—1

Darman Lassland—1

Alex. Mills
 Rich'd Core—2

George Smith
 Wm. Lewis—2

John Allen
 Edw. Allen—2

Edw. Ennis—1

James Weatherly—1

Wm. Baker—1

Hen. Marshmant—1

Wm. Millinge
 Robt. Jilkin
 Arthur Bowzer
 Peter Vicar
 Isaak Venan
 John Wyer—6

Tho. Sheppard—1

Province Nelson
 Daniel Paine—2

Thomas Moore
 John Owen
 John Moore
 Thos. Somersett
 James Bookett—5

Wm. Harper
 Rich'd Quinch—2

Geo. Freshwater
 Dic.—negro—2

John Knight—1

Thos. Poynter
 John Hankins
 Tho. Fregue—negro
 Rich'd Richardson
 Mary Richardson, his wife
 Derman Clandum
 Francis Driggue } Negroes
 James } —8

Neale Mackmillins
 John Jewett—2

Att the Widow Hall's:
 Hen. Michael—1

Wm. Ennis—1

Barthlomew Cosier
 Francis Roberts—2

Wm. Geldinge
 Luke Geldinge
 Charles Geldinge—3

Left. Coll. Wm. Waters
 Peter Bastianson
 Lawrence Jaconson
 Tho. Reade
 Edw. Joanes
 Jacob Chilton
 Geo. Treherne
 Ed. Evans, als. Hopkins
 Sam Handee
 William—negro
 Bill—negro—10

Richard Whitmarsh
 Wm. Waltum
 Robt. Holliday
 Sam Ames
 Tho. Davis—5
 Mr. Francis Piggott
 Peter }
 John } Negroes
 Thomas } —5
 Jane }

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